

**AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/  
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF  
THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA  
TUESDAY, SEPTEMBER 5, 2017 – 6:00 PM**

**RON MORRISON**  
*Mayor*

**ALBERT MENDIVIL**  
*Vice Mayor*

**JERRY CANO**  
*Councilmember*

**MONA RIOS**  
*Councilmember*

**ALEJANDRA SOTELO-SOLIS**  
*Councilmember*

**ORDER OF BUSINESS:** Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

**REPORTS:** All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website [www.nationalcityca.gov](http://www.nationalcityca.gov).

**PUBLIC COMMENTS:** Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

**WRITTEN AGENDA:** With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

**CONSENT CALENDAR:** Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of

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the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

*Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.*

*Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.*

**COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.**



**OPEN TO THE PUBLIC**

**A. CITY COUNCIL**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

**PROCLAMATIONS**

1. [Proclaiming the month of September 2017 as: "National Preparedness Month"](#)

**AWARDS AND RECOGNITIONS**

**PRESENTATIONS**

2. [Update on Port Projects and Activities in National City. \(Port Chairman Robert "Dukie" Valderrama\)](#)
3. [Stakeholder Briefing - San Ysidro Land Port of Entry Renovation and Expansion Roadway Impacts. \(Anthony Kleppe, U.S. General Services Administration \(GSA\)\)](#)
4. [National City Safe Routes to School Program & Neighborhood Walk Audits. \(Circulate San Diego & Rady Children's Hospital San Diego\) \(Engineering/Public Works\)](#)

**INTERVIEWS / APPOINTMENTS**

5. [Interviews and Appointments - Veterans and Military Families Advisory Committee. \(City Clerk\)](#)

**CONSENT CALENDAR**

6. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

7. Approval of the Minutes of the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City of May 16, 2017. (City Clerk)
8. Resolution of the City Council of the City of National City: 1) ratifying the acceptance of the California Library Literacy Services (CLLS) Grant of \$18,000 to fund the National City Library's literacy services program for FY2017-18; and 2) authorizing the establishment of a Literacy Services Grant Fund appropriation of \$18,000 and corresponding revenue budget. (Library)
9. Resolution of the City Council of the City of National City authorizing the Mayor to execute a Grant Subaward Amendment for additional grant funds in the amount of \$27,689 from the FY16 Urban Area Security Initiative (UASI) Grant Funds, for a total grant amount of \$246,699, for the reimbursable grant purchase of equipment, planning, and training for the Police and Fire Departments; and authorizing the establishment of an appropriation in the amount of \$27,689 and a corresponding revenue budget. (Fire)
10. Resolution of the City Council of the City of National City authorizing an appropriation increase and corresponding revenue budget increase in the amount of \$163,000 for the EsGil Corporation (SAFEbuilt) for building plan check services for FY-2017. (Building/Fire)
11. Resolution of the City Council of the City of National City authorizing the acceptance of a \$5,000 check from Jesus The Great I Am Church Inc. on behalf of the National City Fire Department for the purchase of three Automatic External Defibrillators (AEDs), and authorizing the establishment of an appropriation and corresponding revenue budget. (Fire)
12. Resolution of the City Council of the City of National City, 1) awarding a contract to Dick Miller, Inc. in the not-to-exceed amount of \$939,939.93 for the Citywide Alley Improvements Project, CIP No. 16-11; 2) authorizing a 15% contingency in the amount of \$140,990.99 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. (Engineering/Public Works)
13. Resolution of the City Council of the City of National City, 1) awarding a contract to Eagle Paving Company, Inc. in the not-to-exceed amount of \$1,158,297.70 for the Citywide Pedestrian Midblock Crossing Enhancements Project, CIP No. 17-05; 2) authorizing a 15% contingency in the amount of \$173,744.66 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. (Engineering/Public Works)

14. [Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Harris & Associates, Inc. retroactively extending the term of the Agreement to May 18, 2018, to provide on-call project support services for National City's Capital Improvement Program \(CIP\), including, but not limited to, sewer system and storm drain analysis and design, construction support, engineering plan reviews and tentative map reviews. \(Engineering/Public Works\)](#)
15. [Resolution of the City Council of the City of National City ratifying the execution of an Agreement by and between the City of National City and Accelerated Modular Concepts Incorporated in the amount of \\$112,846.28 for the delivery and set up of a modular building to be used by the National City Fire Department as part of the Squad Pilot Program at El Toyon Park. \(Engineering/Public Works\)](#)
16. [Resolution of the City Council of the City of National City accepting a Grant Deed from White Whale Properties, Inc., a California Corporation, for a dedication of real property to allow for the construction of a public sidewalk adjacent to their property located at 1640 Orange Street \(APN 561-160-40\). \(Engineering/Public Works\)](#)
17. [Resolution of the City Council of the City of National City authorizing the installation of 83 feet of diagonal "30-minute parking" located on E. 8th Street adjacent to "Big Ben Specialty Market" and 81 feet of parallel "30-minute parking" located on "A" Avenue adjacent to "Big Ben Specialty Market" to increase parking turnover for customers \(TSC No. 2017-19\). \(Engineering/Public\)](#)
18. [Resolution of the City Council of the City of National City authorizing the conversion of 67 feet of 1-hour parallel parking to 30-minute parking on National City Boulevard adjacent to "B&B Furniture" and install 37 feet of 30-minute parallel parking on W. 4th Street adjacent to "B&B Furniture" to increase parking turnover for customers \(TSC No. 2017-20\). \(Engineering/Public Works\)](#)
19. [Resolution of the City Council of the City of National City authorizing the installation of a blue curb disabled persons parking space with signage in front of the residence at 635 "J" Avenue \(TSC No. 2017-21\). \(Engineering/Public Works\)](#)
20. [Resolution of the City Council of the City of National City authorizing the installation of a second blue curb disabled persons parking space with signage in front of the residence at 2121 Wilson Avenue \(TSC No. 2017-22\). \(Engineering/Public Works\)](#)

21. [National City Sales Tax Update Newsletter Fourth Quarter 2016. \(Finance\)](#)
22. [National City Sales Tax Update Newsletter First Quarter 2017. \(Finance\)](#)
23. [Investment Report for the quarter ended June 30, 2017. \(Finance\)](#)
24. [Warrant Register #3 for the period of 07/12/17 through 07/18/17 in the amount of \\$1,310,855.42. \(Finance\)](#)
25. [Warrant Register #4 for the period of 07/19/17 through 07/25/17 in the amount of \\$2,317,938.00. \(Finance\)](#)

## **PUBLIC HEARINGS**

26. [Public Hearing - First Reading on the introduction of an Ordinance of the City Council of the City of National City amending the National City Municipal Code by adding Chapter 2.55 establishing requirements regarding the adoption and amendment of the annual budget of the City of National City. \(Finance\)](#)
27. [Public Hearing - First Reading on the introduction of an Ordinance of the City Council of the City of National City amending Title 6 Section 6.04 of the National City Municipal Code regarding business tax rates to comply with current law, including 1\) reverting gross receipts and flat business tax rates to those established by Ordinance No. 1606, enacted in 1977, correcting rate calculations where necessary; 2\) repealing the Marginal Tax Rate Table; 3\) repealing Appendix D to Ordinance No. 1606; and 4\) refunding business taxes and associated applicable fees overpaid within the twelve months prior to the effective date of this ordinance. \(Finance\)](#)
28. [Public Hearing on the adoption of a Resolution by the City Council of the City of National City, 1\) approving an Amendment No. 8 \(16-08\) to the 2016 Regional Transportation Improvement Program for TransNet Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021 to ensure programming is consistent with the latest TransNet Revenue Forecast for National City; projects include Plaza Boulevard Widening \(NC01\), Street Resurfacing \(NC03\), Traffic Signal Install/Upgrades \(NC04\) and Citywide Safe Routes to School \(NC15\); and 2\) authorizing the establishment of a TransNet Proposition 'A' Fund appropriation of \\$1,021,000 for FY 2018 and corresponding revenue budget. \(Engineering/Public Works\)](#)

## **ORDINANCES FOR INTRODUCTION**

## **ORDINANCES FOR ADOPTION**

## **NON CONSENT RESOLUTIONS**

29. [Alternative resolutions of the City Council of the City of National City to approve or deny a Conditional Use Permit for wholesale auto sales with accessory new car preparation \(excluding detailing\), car wash, outdoor vehicle storage, electrical and trim installation, and employee parking at 2000 Roosevelt Avenue; City Council may approve either of the attached resolutions based on contained findings for denial or approval. \(Applicant: Deborah Falk\) \(Case File No.: 2016-10 CUP\) \(Planning\)](#)
30. [Resolution of the City Council of the City of National City adopting Council Policy 119: Selection of the Vice Mayor. \(City Manager\)](#)

## **NEW BUSINESS**

31. [Notice of Decision Planning Commission approval of a Conditional Use Permit for the sale and trade of jewelry, gold, and other precious metals at a retail store \(Kevin Jewelers\) located at 3030 Plaza Bonita Road, Suite 1110. \(Applicant: Kaveh Bral\) \(Case File 2017-16 CUP\) \(Planning\)](#)
32. [City Council Review of League of California Cities 2017 Annual Conference Resolutions: "A Resolution of the League of California Cities calling upon the Governor and Legislature to enter into discussion with League and other Public Safety stakeholders to identify and implement strategies that will reduce the unintended negative impacts of existing criminal law"; and "A Resolution of the League of California Cities supporting Legislation amending Government Code Section 38611 to clarify the definition of Local Control providing broad statutory authority for local officials to determine Emergency levels and direct Emergency Medical Response within their jurisdictions". \(City Manager\)](#)

## **B. COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY**

### **PUBLIC HEARINGS- HOUSING AUTHORITY**

### **CONSENT RESOLUTIONS- HOUSING AUTHORITY**

### **NON CONSENT RESOLUTIONS- HOUSING AUTHORITY**

### **NEW BUSINESS- HOUSING AUTHORITY**

## **C. REPORTS**

### **STAFF REPORTS**

### **MAYOR AND CITY COUNCIL**

### **CLOSED SESSION REPORT**

### **ADJOURNMENT**

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - September 19, 2017 - 6:00 p.m. - Council Chambers - National City, California.

The following page(s) contain the backup material for Agenda Item: Proclaiming the month of September 2017 as: "National Preparedness Month"

Item # \_\_\_\_

09/05/17

**PROCLAIMING THE MONTH OF SEPTEMBER 2017 AS:  
"NATIONAL PREPAREDNESS MONTH"**

**PROCLAMATION FORTHCOMING**



The following page(s) contain the backup material for Agenda Item: Update on Port Projects and Activities in National City. (Port Chairman Robert "Dukie" Valderrama)

**Item # \_\_\_\_\_**

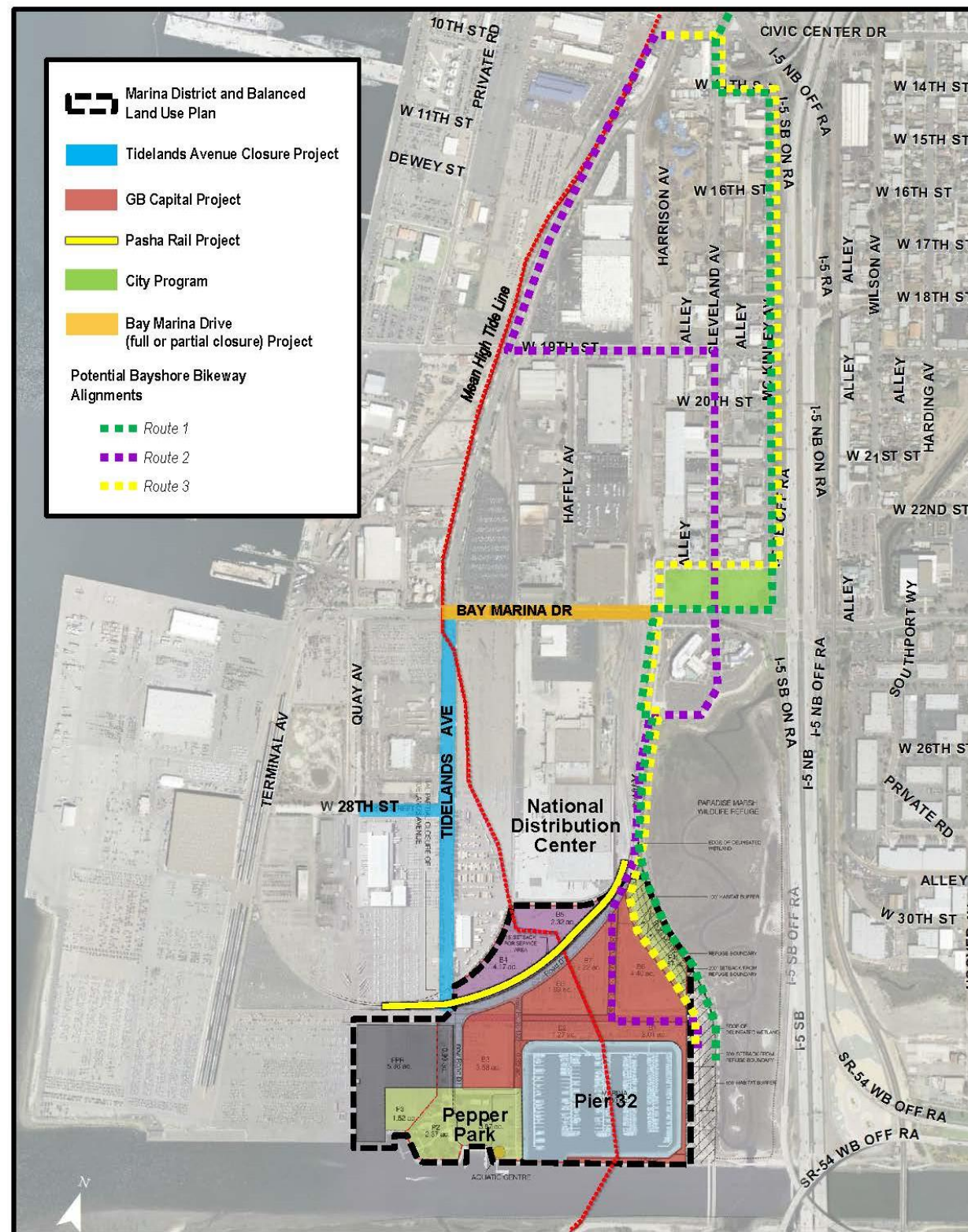
**09/19/17**

**UPDATE ON PORT PROJECTS AND ACTIVITIES IN NATIONAL CITY**

**(Port Chairman Robert “Dukie” Valderrama)**

# Update on Port Projects and Activities in National City

Port Chairman Robert “Dukie” Valderrama



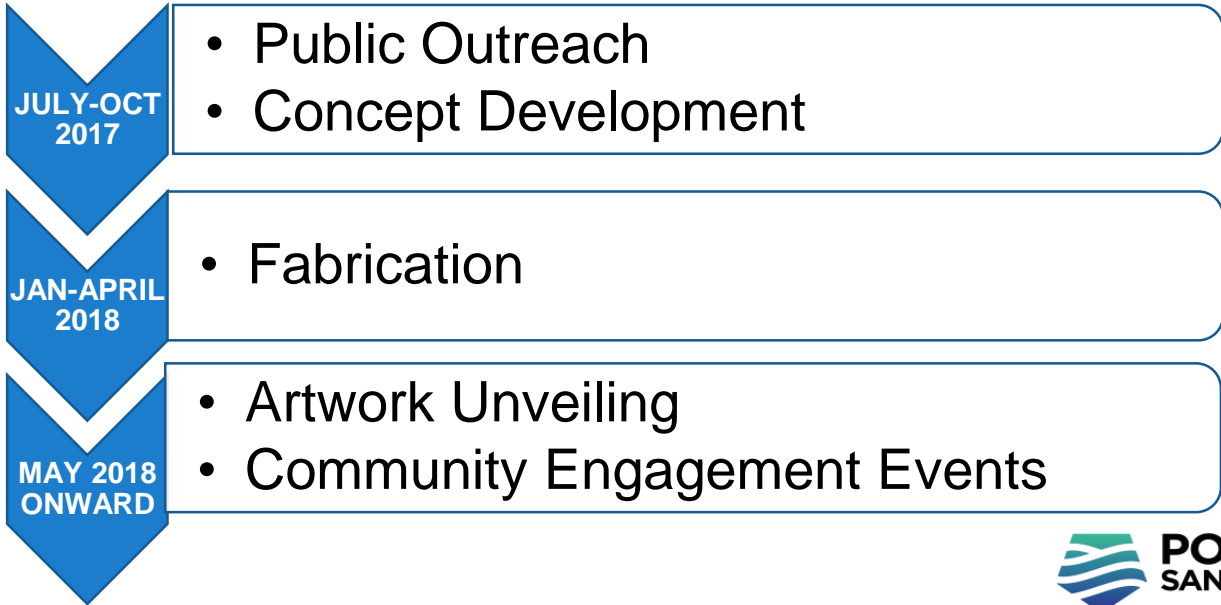




# An Art Exhibition for National City (2018-2019)

A custom artwork by artist Randy Walker, that will provide a unique visual experience for the community while spreading awareness and exploring the work carried out at the National City Terminal and the Tenth Avenue Marine Terminal.

The artwork will be large in scale and visible from multiple public vantage areas.







# The Maytime Band Review

Saturday October 7, 2017  
10:00 am - 3:30 pm

Maytime Band Review Corp is a forum for the promotion of music education and cultural diversity through encouraging participation of both National and International marching band programs. The aim is to bring the community together to celebrate and strengthen cultural pride, stimulate tourism and promote the local economy.





# Fern Street Circus at Pepper Park

Saturday October 7, 2017  
12:00 p.m. to 2:00 p.m.

**FREE** for the public

Attendees will enjoy live circus performances. Free popcorn, a photo booth, face painting, and giveaways as part of this family friendly artistic performance in celebration of Arts Month.



The following page(s) contain the backup material for Agenda Item: Stakeholder Briefing  
- San Ysidro Land Port of Entry Renovation and Expansion Roadway Impacts. (Anthony  
Kleppe, U.S. General Services Administration (GSA))



**Item # \_\_\_\_\_**

**09/05/17**

**STAKEHOLDER BRIEFING - SAN YSIDRO LAND PORT OF ENTRY  
RENOVATION AND EXPANSION ROADWAY IMPACTS**

**Anthony Kleppe, U.S. General Services Administration (GSA)**



GSA Public Buildings Service

# San Diego Regional Briefing

## I-5 South Realignment Communications Plan

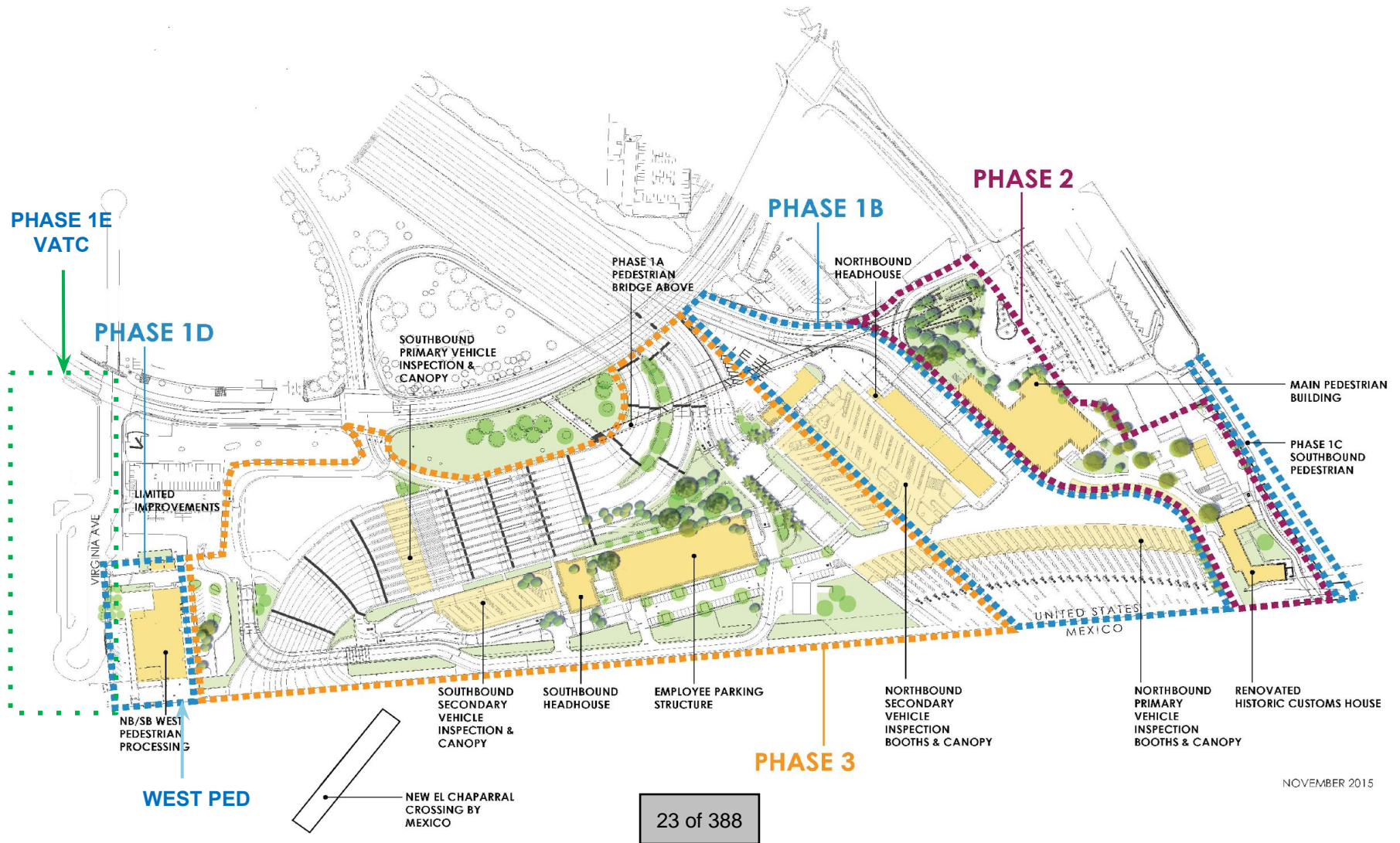








# Project Overview



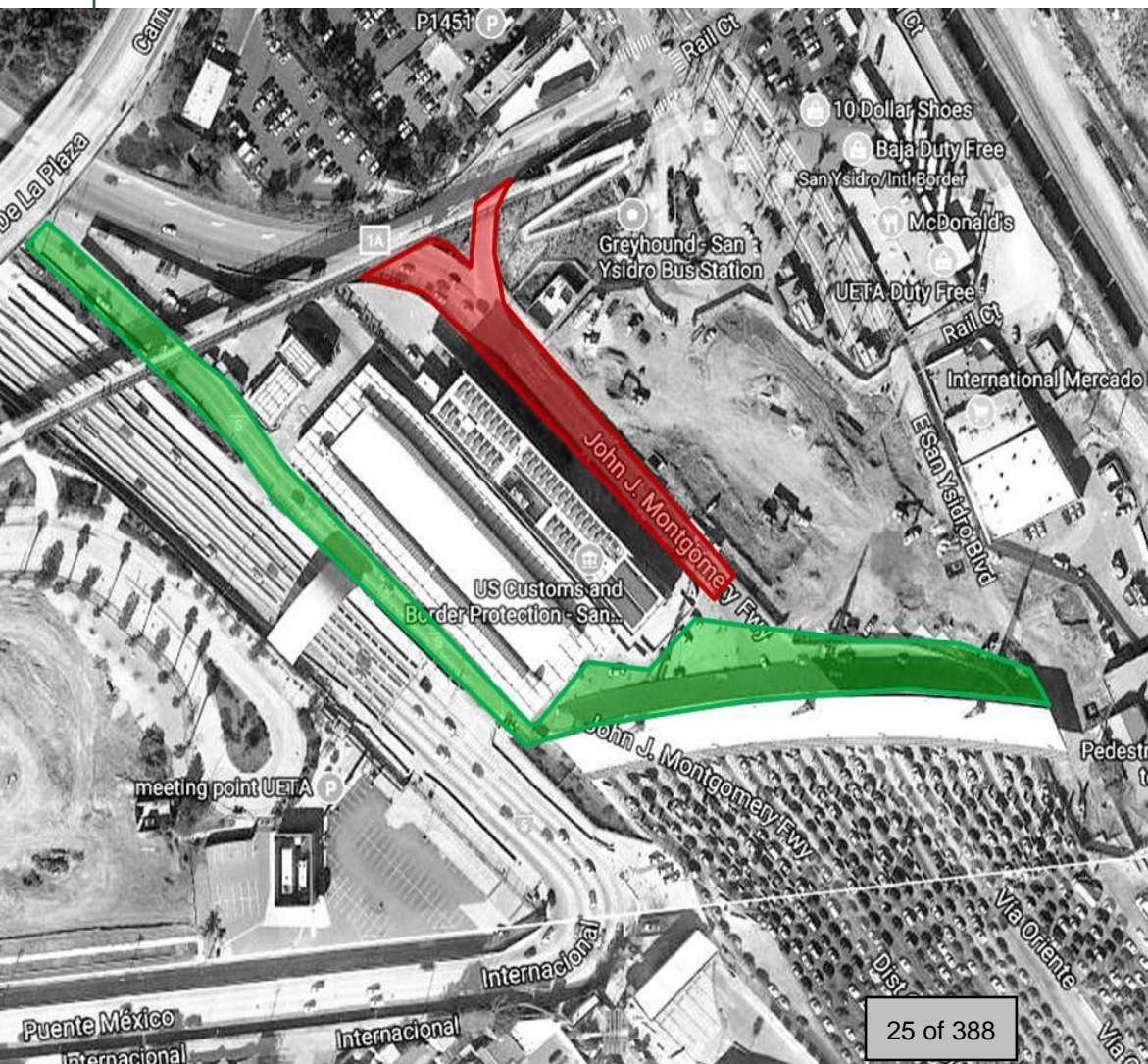
NOVEMBER 2015

# Phase II Project

- **Project includes:**
  - 22 lane Pedestrian and Administration Building
  - Renovation of the Historic Customs House
  - Pedestrian Plaza
- **Planned Impacts:**
  - Four consecutive night 12 hour closures of the easternmost access lanes tentatively scheduled to begin September 19<sup>th</sup> from 4:00 p.m. to 4:00 a.m. September 23<sup>rd</sup>
  - Nightly closures of the eastern access lanes from September 25<sup>th</sup> 10:00 PM to 4:00 AM through 12/29/17



# San Ysidro Phase 2 Skybridge Installation Lane Closures



## Skybridge Installation Nightly Shutdown:

Start: Tuesday, Sept. 12 at 4pm

Finish: Saturday, Sept. 16 at 4 am















## Skybridge Construction Nightly Shutdown:

Start: Monday, Sept. 18 at 10pm

Finish: Saturday, Dec. 30 at 4 am

# San Ysidro Phase 2 Skybridge Installation Lane Closures September 2017

calendardownload.com

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11					16
17						23
24						30

**Nightly Closure**  
4 pm to 4 am

**Nightly Closure**  
10 pm to 4 am  
Sept 18, 2017  
through  
Dec 30, 2017



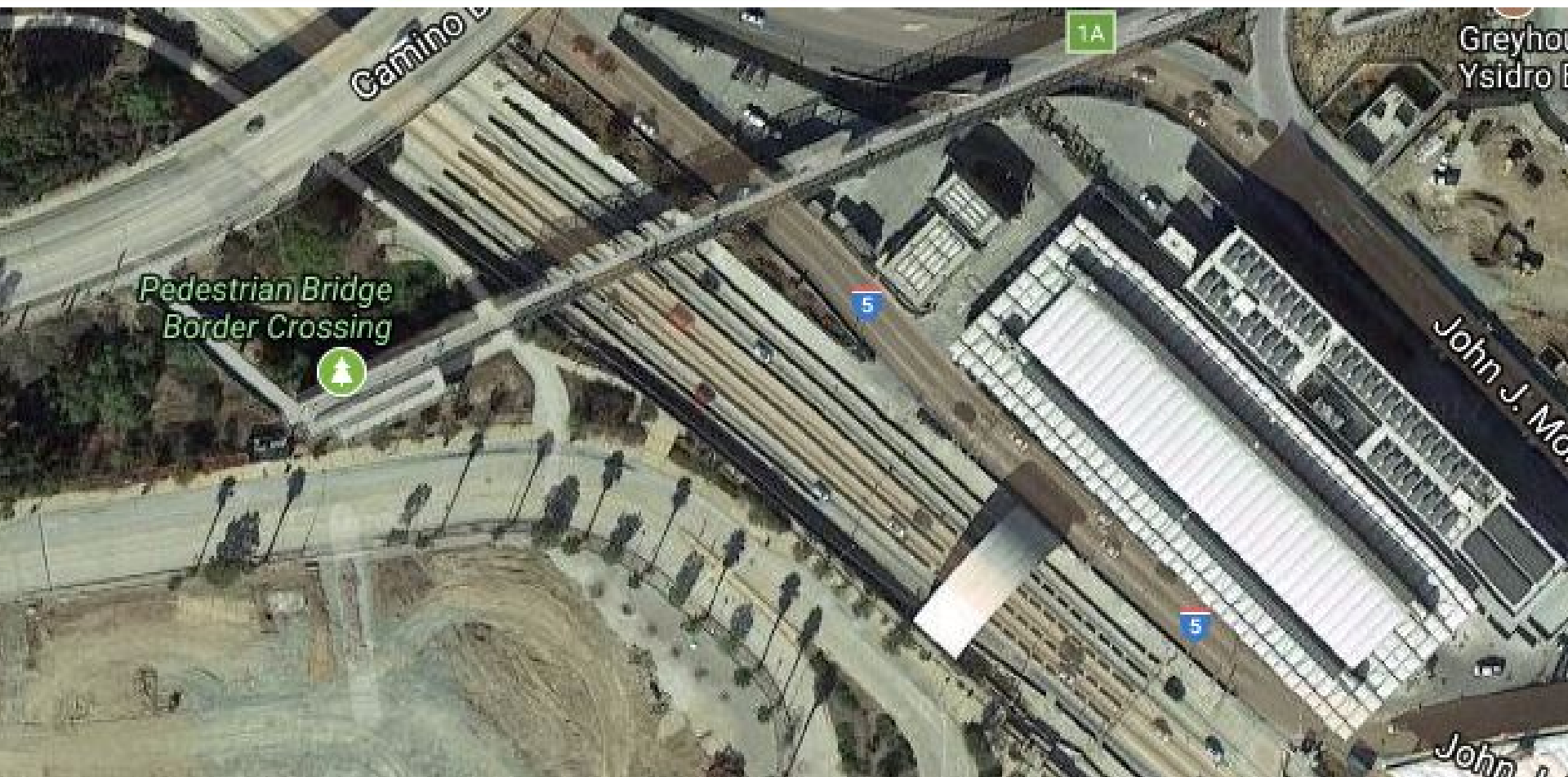
# I-5 South Realignment Project

- **Project includes:**
  - 7 construction stages
  - Lane tapering on southbound I-805 & I-5 freeways
  - One complete weekend lane closure (57 hours)
  - Reduction to 3 southbound I-5 lanes for 8 – 9 weeks
- **Duration:** September 2017 - June 2019

# I-5 South Realignment Highlights

- **I-5 S closure at SYLPOE - 57 Hours**
  - Saturday (3 AM) to Monday (12 PM) complete southbound roadway closure; removal of southbound POV inspection canopy. SB POVs advised to use Otay Mesa LPOE
- **Stage 2 - 1 Week**
  - Removal of cast in place lane barriers
- **Stage 3A & 3B - 2 Weeks**
  - Removal of cast in place lane barriers
- **Stage 4 – 8 to 9 Weeks**
  - SB POV lanes tapered down to 3 lanes

# Stages 1, 2, 3A, and 3B Overview

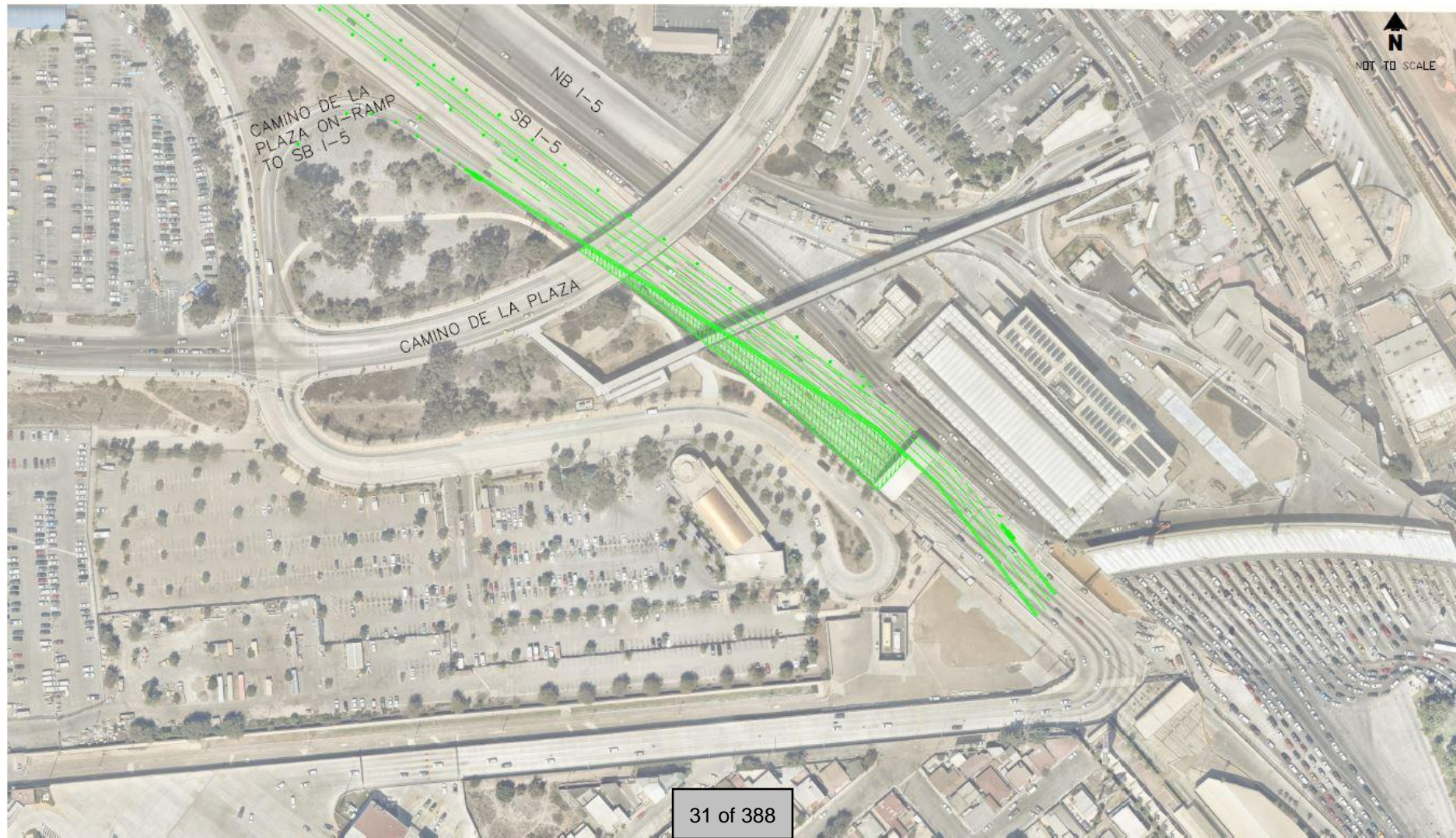


# 57 Hour Closure Map





# Stage 4 Overview



# I-5 South Realignment Highlights

- **Stage 5 - 18 Months**
  - Temporary I-5 South realignment and curve are complete and open to the public
  - Number of SB POV lanes increases to four
- **Stage 6 - 1 Month**
  - Connection to permanent I-5 South realignment
- **Stage 7 - 1 Month**
  - New I-5 South connection to permanent infrastructure becomes operational



# Stage 5 Overview



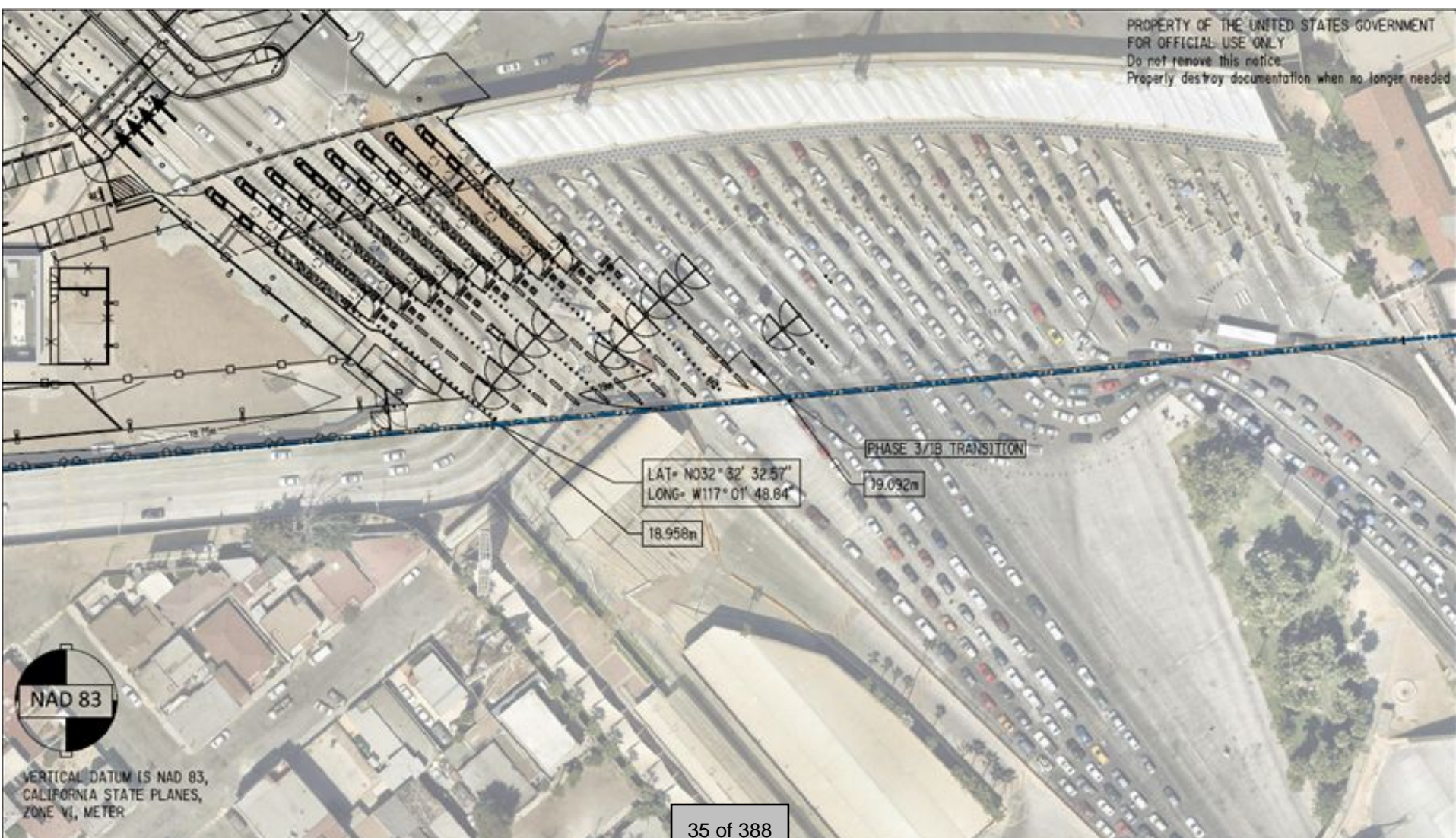


# Stage 5 Overview



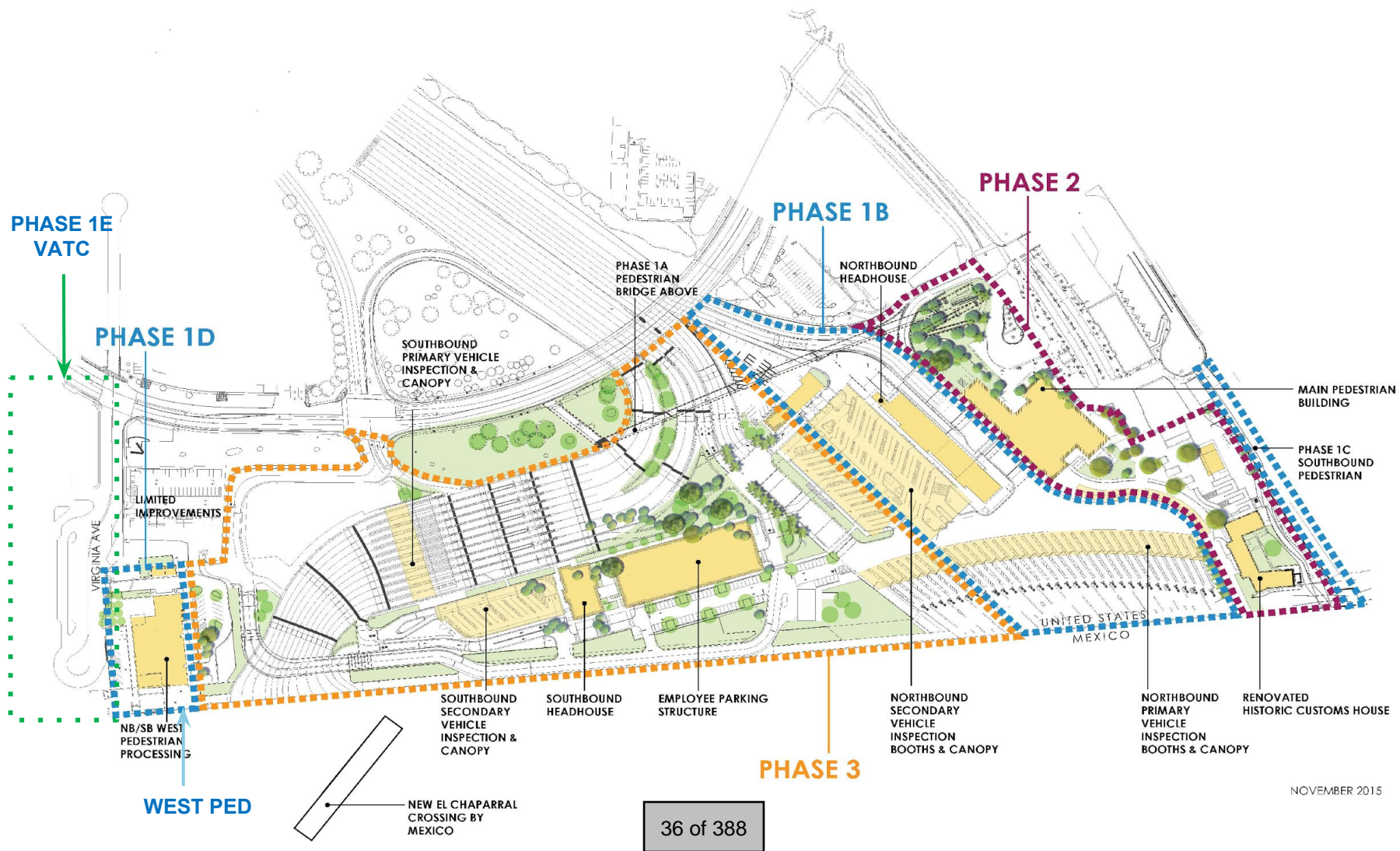


# Project Overview - Additional POV Lanes





# Stage 6 and 7 Overview



# U.S. Communication Partners

- U.S. General Services Administration
- U.S. Customs & Border Protection
- U.S. Department of State / U.S. Consulate in Tijuana
- County of San Diego
- City of San Diego
- City of Chula Vista
- City of National City
- City of Imperial Beach
- California Department of Transportation (Caltrans)
- San Diego Association of Governments (SANDAG)
- San Diego Metropolitan Transit System (MTS)

# Mexican Communication Partners

- Secretaria de Relaciones Externas (SRE)
- Consulado General de México en San Diego
- Secretaria de Comunicaciones y Transportes (SCT)
- Instituto de Administración y Avalúos de Bienes Nacionales (INDAABIN)
- Instituto Nacional de Migracion
- State of Baja California
- City of Tijuana

# Communication Channels

- Press Releases
- Media Advisories
- Traffic Advisories
- Fact Sheets
- Stakeholder and Community Meetings
- Social Media Newsfeed Updates
- Respective Agency Websites
- Signage and Posters
- Paid Ads

# Stakeholder Outreach

- SANDAG Borders Committee Meeting - June 23, 2017
- Law Enforcement & Emergency Services - July 11, 2017
- Congressional Delegation Briefing - July 13, 2017
- San Ysidro Chamber of Commerce & South Bay Economic Development Council - July 17, 2017
- San Diego Regional Chamber of Commerce - July 18, 2017
- SMART Border Coalition - July 24, 2017
- Otay Mesa Chamber of Commerce - July 25, 2017
- SANDAG Borders Committee - July 28, 2017
- Border Transportation Council - August 8, 2017
- Press Briefing & Tour – September 9
- U.S. Consulate in Tijuana Presentation – TBD
- Presentation to Councilman Alvarez – August 3, 2017
- Government Liaison Group (GLG) Meeting – August 16, 2017
- Community Representatives Committee (CRC) Meeting – August 17, 2017
- Cities of National City and Chula Vista City Council Meetings – September 5<sup>th</sup> / 12<sup>th</sup>, 2017



# Social Media Collaboration Examples

 **Consulado General de los Estados Unidos en Tijuana**  
May 15 at 4:45pm · 🌐

¡Cambios en el acceso peatonal este de la Garita de San Ysidro!

A partir del Lunes 22 de Mayo se reubicara el cruce de peatones en dirección norte, en la parte este de la garita de San Ysidro. Este nuevo cruce temporal de peatones estará localizado dentro del edificio Milo (al norte del actual edificio histórico de Aduanas) y ofrecerá una mayor capacidad de procesamiento de peatones, contando con ocho líneas de inspección. Este nuevo recinto reemplazará el actual cruce de peatones...

[See More](#)



 Tijuana Te Quiero and 1 other Retweeted

**SANDAG** @SANDAG · 15 Jul 2016

 Congrats @US\_GSAR9 on #PedWest/Virginia Ave Transit Ctr at #SanYsidro border crossing. Proud to be project partner!



🔄 8 ❤️ 13

# Stakeholder Outreach Examples



**U.S. General Services Administration Pacific Rim Region** in San Ysidro, California.

December 12, 2013 · 🌐

On Tuesday, GSA briefed stakeholders at the Community Representatives Committee meeting in San Ysidro. Special thanks to Casa Familiar for allowing us to use their space at "The Front".



**CBP San Diego** @CBPSanDiego · 30 Jun 2016

Watch on #Periscope: Media briefing for the new Pedestrian West (PedWest) facility opening July 15 at San Ysidro



**USCustoms&BorderProt** @CBPSanDiego

Media briefing for the new Pedestrian West (PedWest) facility opening July 15 at San Ysidro — San Diego, CA, Estados Unidos

pscp.tv



# What Can You Do?

- Only the southbound 805 & I-5 roadways (below S/R 905) are affected by the roadway closure
- If your plans include travel to Mexico the weekend of 9/23 – 9/25, try to enter Mexico before midnight Friday 9/22
- Consider Transit.

# What Can You Do?

- Northbound traffic and pedestrian processing unaffected by the closure
- Stay Local – Play Local.
- If you cannot avoid driving into Mexico between 3:00 AM Saturday 9/23 and 12:00 PM Monday 9/25, allow extra time to get to Mexico.

# Stay Informed

- Visit the project website
  - [www.gsa.gov/5realign](http://www.gsa.gov/5realign)
  - Fact sheets, FAQs, maps, photos & presentations
- Follow the official hashtag
  - #5Realign
- Join the conversation on social media
  - [www.facebook.com/gsapacificrimregion](https://www.facebook.com/gsapacificrimregion)
  - [www.facebook.com/CityofNationalCity/](https://www.facebook.com/CityofNationalCity/)
  - [www.twitter.com/US\\_GSAR9](https://www.twitter.com/US_GSAR9)
  - [www.twitter.com/CityOfNatlCity](https://www.twitter.com/CityOfNatlCity)

# Questions?

**Anthony Kleppe**

Land Ports of Entry Program Manager

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**Javier Fernandez**

Land Ports of Entry Communications Specialist

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**Andra Higgs**

Regional Public Affairs Officer

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**Rich Fallejo**

Project Manager

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**Ramon Riesgo**

Program Specialist

[ramon.riesgo@gsa.gov](mailto:ramon.riesgo@gsa.gov)





The following page(s) contain the backup material for Agenda Item: National City Safe Routes to School Program & Neighborhood Walk Audits. (Circulate San Diego & Rady Children's Hospital San Diego) (Engineering/Public Works)

Item \_\_\_\_\_

9/5/2017

**PRESENTATION ON NATIONAL CITY SAFE ROUTES TO SCHOOL PROGRAM  
& NEIGHBORHOOD WALK AUDITS**

**(CIRCULATE SAN DIEGO & RADY CHILDREN'S HOSPITAL SAN DIEGO)  
(ENGINEERING/PUBLIC WORKS)**

The following page(s) contain the backup material for Agenda Item: Interviews and Appointments - Veterans and Military Families Advisory Committee. (City Clerk)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Interviews and Appointments: Veterans and Military Families Advisory Committee (City Clerk)

**PREPARED BY:** Michael R. Dalla

**DEPARTMENT:** City Clerk

**PHONE:** 619-336-4226

**APPROVED BY:** 

**EXPLANATION:**

See attached

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

**ORDINANCE:** INTRODUCTION: ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Conduct interviews – Consider Nominations

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Applications



## EXPLANATION

Earlier this year the City Council adopted Ordinance 2017-2432 establishing an eleven member (11) **Veterans and Military Families Advisory Committee**.

To date, eleven (11) individuals have submitted applications for appointment to the committee. Three (3) applicants remain to be interviewed and have been invited to appear at tonight's meeting.

According to Ordinance 2017-2432 members of the committee may be residents and non-residents. It was the intent of the Working Group involved in the establishment of the committee to appoint residents and/or individuals with military, veteran, and professional ties to National City in as many of the following categories as possible, including:

- Veteran resident of National City
- Active duty service member
- Family member or spouse of active duty service member
- Family fleet representative (Naval Base San Diego)
- Veteran-based service organization
- Sweetwater High School ROTC student
- San Diego County Supervisor Veterans Advisory Council (VAC) rep.
- 2-1-1 San Diego representative
- Social Services representative
- Faith-Based community representative
- National City business community representative

### **Applicants for the Veterans and Military Families Advisory Committee**

<u>Name</u>	<u>Interviewed</u>
Bert Andrade	No
Victor Barajas	Yes
Shirley Ferrill	Yes
Darnisha Hunter	Yes
Mike Judd	Yes
Mona S. Minton	Yes
Stepheni Norton	Yes
Damien Osip	No
Luz Ramirez	Yes
Vilavanh Sanginthirath	Yes
Meg Storer	No

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- |  |   |
|--|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC)             | <input type="checkbox"/> Civil Service Committee  |
| <input type="checkbox"/> Library Board of Trustees                                   | <input type="checkbox"/> Planning Commission      |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board          | <input type="checkbox"/> Public Art Committee*    |
| <input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Roberto J. Andrade E-Mail: None

Home Address: 1609 CASA PL Tel. No.: 619-773-2317  
FIL-AM VETERAN

Business Affiliation: American Coalition Title: President

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 49 yrs San Diego County: 49 yrs California: 49 yrs

Educational Background: B.A. BUSINESS MGMT.

Occupational Experience: U.S.N. 26 yrs - Port, S.D. School District 5 yrs.

U.S. AIRCRAFT, North Island 16 yrs.

Professional or Technical Organization Memberships: None

Civic or Community Experience, Membership, or Previous Public Service Appointments:

Experience or Special Knowledge Pertaining to Area of Interest: NATL CITY VARIOUS BOARD & MBR.  
VETERANS (AMER. LEGION, FILIPINER ASSN.)

Have you ever been convicted of a felony crime? No: ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: ☒ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

None

Date: 8-24-17 Signature: Roberto J. Andrade

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Victor E. Barajas E-Mail: VictorEBarajas@yahoo.com

Home Address: 615 Harbison Ave. NC Tel. No.: 619-730-9883

Business Affiliation:                      Title:                     

Business Address:                      Tel. No.:                     

Length of Residence in National City: 10 yrs. San Diego County: 10 yrs California: 10 yrs.

Educational Background: Bachelor of Science in Management.  
Senior Professional in Human Resources (SPHR) Certification.

Occupational Experience: Mediation, Conflict Resolution, Investigations,  
Recruiting, Point of Entry assistance.

Professional or Technical Organization Memberships: San Diego Society for  
Human Resources Management. Employer Support of the Guard and Reserve (ESGR)

Civic or Community Experience, Membership, or Previous Public Service Appointments:  
Community Police Relations Commission; CERT; ESGR; SDEAC.

Experience or Special Knowledge Pertaining to Area of Interest:  
Over 10 years of experience working with Military Families and Service Members.

Have you ever been convicted of a felony crime? No ☒ Yes:                      misdemeanor crime? No: ☒ Yes:                       
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 5/1/17 Signature: 

Please feel free to provide additional information or letters of endorsement:

Please return completed form to: **Office of the City Clerk**  
**1243 National City Blvd., National City, CA 94105**

Thank you for your interest in serving the City of National City.

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CITY OF NATIONAL CITY



CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Shirley Ferrill E-Mail: shirleyazf36@gmail.com

Home Address: 2712 E. 14th St. Tel. No.: 619 267-2516

Business Affiliation: (NONE - RETIRED) Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 45 yr. San Diego County: 50 yr California: 52 yr

Educational Background: High School Graduate;

Occupational Experience: clerical; public speaking; leadership; organizational;

Professional or Technical Organization Memberships: American Legion; VFW Aux; N.C. Chamber of Commerce; Military Women Org.

Civic or Community Experience, Membership, or Previous Public Service Appointments: Community Development Comm; Mayor Waters Bayfront Dev. Comm.

Experience or Special Knowledge Pertaining to Area of Interest: Veteran of U.S. Navy; served on War Memorial Rededication Comm.

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 03/29/17

Signature: Shirley A. Ferrill

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: **Office of the City Clerk**

1243 National City Blvd., National City, CA 92105

Thank you for your interest in serving the City of National City.

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CITY OF NATIONAL CITY



CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

☐ Community & Police Relations Commission\* (CPRC) ☐ Civil Service Committee  
☐ Library Board of Trustees ☐ Planning Commission  
☐ Parks, Recreation & Senior Citizens Advisory Board ☐ Public Art Committee\*  
☒ Veterans & Military Families Advisory Committee\* ☐ Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Darnisha Hunter E-Mail: dhunetr@sanidego.gov

Home Address: 1486 14<sup>th</sup> Street, Imperial Beach, CA 91932 Tel. No.: 702.575.4109 Business Affiliation: Office of Mayor Kevin L. Faulconer Title: Military and Veteran Advocate

Business Address: 202 C. Street 11<sup>th</sup> Floor San Diego, CA 92101 Tel. No.: 619.236.6568

Length of Residence in National City: \_\_\_\_\_ San Diego County: 6yrs California: 6yrs

Educational Background: Some College

Occupational Experience: I've worked with the Military and Veterans over 25 yrs. I taught transitional services on Nellis Airforce Base for 6yrs. I'm currently on the USO Gala Committee and the USS Peralta Commissioning Committee.

Professional or Technical Organization Memberships: Member of the Veteran Coalition, Volunteer USO.

Civic or Community Experience, Membership, or Previous Public Service Appointments: I sit on the Design and Review Board for the City of Imperial Beach.

Experience or Special Knowledge Pertaining to Area of Interest: Working with Veterans with to help them transition into the civilian employment market for over 25yrs.

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☐ Yes: ☒ If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Track tickets for speeding. Using cell phone while driving

Date: 4/14/2017 Signature: \_\_\_\_\_

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: Office of the City Clerk  
1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Mike Judd E-Mail: Mike.Judd@vvsd.net

Home Address: 625 N. Cuyamaca St, El Cajon, CA 92020 Tel. No.: 6195699971

Business Affiliation: Veterans Village of San Diego Title: SSVF Program Supervisor

Business Address: 4141 Pacific Highway, San Diego, CA 92110 Tel. No.: 6199612165, ext. 4697

Length of Residence in National City: 0 San Diego County: 29 Years California: 29 years

Educational Background: BS in Psychology (Pending)

Occupational Experience: US Army: 5 years, California National Guard: 4.5 Years, Veterans Village of San Diego: 8.5 years

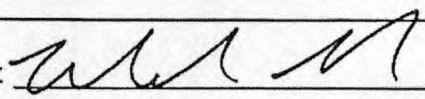
Professional or Technical Organization Memberships: Veterans and Family Forum (Current)

Civic or Community Experience, Membership, or Previous Public Service Appointments: Chair of Veteran Transition Workgroup for San Diego Veterans Coalition (2010)

Experience or Special Knowledge Pertaining to Area of Interest: Last 8.5 years with VVSD working with the VA, DOD, Police Departments, Community Partners, and San Diego Mayor's office as well as Reps from Duncan Hunter and Scott Peters office – All for Veteran or Military issues.

Have you ever been convicted of a Felony crime? No Misdemeanor crime? No  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 2014/11

Signature: 

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: Office of the City Clerk  
1243 National City Blvd., National City, CA 91950

## Mike Dalla

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**From:** Esther Clemente  
**Sent:** Thursday, April 20, 2017 11:51 AM  
**To:** Mike Dalla  
**Subject:** FW: Veterans and Military Families Advisory Committee Application  
**Attachments:** VMFAC Application - MJudd.pdf

**From:** Mike Judd [mailto:mike.judd@vvsd.net]  
**Sent:** Thursday, April 20, 2017 11:08 AM  
**To:** Clerk <Clerk@nationalcityca.gov>  
**Subject:** Veterans and Military Families Advisory Committee Application

Good Morning, Mr. Dalla!

My name is Mike Judd and I've been a San Diego County Resident for the majority of my life. I caught wind of the City Manager's suggestion to begin an advisory committee for the City Council of National City that would discuss and handle Veteran and Military issues. I'm interested in taking part in this advisory committee as not only a combat veteran myself, but also as a provider of Veteran services in San Diego County. I've spent the last 8.5 years working at Veterans Village of San Diego with veterans of all eras by providing peer support, resources and referrals, and am now a Program Supervisor for a multimillion dollar grant that provides financial assistance to homeless veterans. As you are probably aware, Veterans Village of San Diego has been around for over 30 years and while it still maintains a heavy focus on in-patient treatment for substance abuse and mental health, it also maintains three rapid rehousing grant's providing almost \$1.5 million annually in temporary financial assistance to homeless veterans. I began my work at VVSD, and spent 4 years doing so, working solely with Iraq and Afghanistan veterans who were having trouble returning to civilian life after their time at war. I took part in the creation and growth of the very first veteran specific helpline, Courage to Call, which is now run by 2-1-1. I've worked with and have been a part of the San Diego Veterans Coalition and sit on the advisory board for Veterans and Family Forum (VetFam) and would love to provide my knowledge and experience to the National City attempt at tackling Veteran and Military issues. Thank you for your consideration.

If you have any questions, comments, or concerns, I can be reach at the contact information below.

Mike Judd  
Program Supervisor  
Supportive Services for Veteran Families (SSVF) – Priority 1  
Veterans Village of San Diego  
Cellphone: 619.569.9971  
Office: 619.961.2165 Ext: 4697  
Fax: 619.961.2167  
[www.vvsd.net](http://www.vvsd.net)



## CITY OF NATIONAL CITY

### APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

**Note: Applicants must be residents of the City of National City except for those marked by an \***

**Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.**

Name: *Mona S. Minton*

E-Mail: *mminton@neighborhoodhouse.org*

Home Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Business Affiliation: \_\_\_\_\_ Title: *General Manager*

Business Address: *56660 Copley Dr. SD CA 92111* Tel. No.: *858-715-2642*

Length of Residence in National City: \_\_\_\_\_ San Diego County: *5 yrs.* California: \_\_\_\_\_

Educational Background: *PhD- Clinical Psychology, MA in Marriage & Family Therapy*

Occupational Experience: *As the General Manager, Programs/Clinics/Community Affairs at The Neighborhood House Association located in San Diego CA, I have an extensive background working with children, adolescence, adults and older adults struggling with chemical dependency, homelessness, life skills and mental health disorders. I have a PhD in Clinical Psychology and a Masters in Marriage and Family Therapy. I speak and understand multiple languages (English, Spanish, Hindi and Gujarati) and currently serve on 6 committees throughout the East/Central San Diego and North County Region lending my expertise to address a variety of socio-economic, gender and cultural issues. While working for other organizations such as Circle of Friends, Department of Family Services, North County Serenity House, Mental Health Systems, Donovan State Prison, and San Diego County Jails, I have made significant contributions in women and men's prevention, intervention, treatment and recovery programs.*

Professional or Technical Organization Memberships: *San Diego Senior Alliance, CFAR Disparities Care Community Advisory Board, RJDCF Volunteer Advisory Committee, Re-entry roundtable, Policy & Procedure Committee.*

Civic or Community Experience, Membership, or Previous Public Service Appointments:

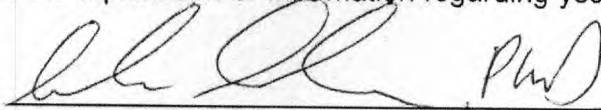
Experience or Special Knowledge Pertaining to Area of Interest: *I have over 16 years of experience working with the population mentioned above and working for Neighborhood House Association over 4 years I've been able to make a significant contribution to all the programs that provide services to our Veterans population, some of those services are Mental Health Assessment, Psychiatric Evaluation, Medication Management, Individual and group therapy, Rehabilitative and recovery*



activities, Case Management, Crisis Intervention and serving over 117,000 meals to Adults and Veterans annually through our NHA Central Kitchen.

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 4/18/2017

Signature: 

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: **Office of the City Clerk**  
**1243 National City Blvd., National City, CA 91950**

Thank you for your interest in serving the City of National City.

This documents is filed as a public document

Revised: February 2017

## **BOARDS, COMMISSIONS & COMMITTEES**

### **Meeting Times and Locations**

#### **CIVIL SERVICE COMMISSION**

Second Thursday of every other month  
5:30 p.m. – City Hall Large Conference Room

#### **COMMUNITY AND POLICE RELATIONS COMMISSION**

Third Thursday of February, May, August & November  
6:00 p.m. – City Council Chambers

#### **LIBRARY BOARD OF TRUSTEES**

Second Wednesday of every month  
4:30 p.m. – National City Public Library

#### **PARKS, RECREATION & SENIOR CITIZENS ADVISORY BOARD**

Third Thursday of every month  
4:00 p.m. – City Hall Large Conference Room

#### **PLANNING COMMISSION**

First and Third Monday of every month  
6:00 p.m. – City Council Chambers

#### **PUBLIC ART COMMITTEE**

Fourth Tuesday of January, April, July, October  
3:00 p.m. – City Hall Large Conference Room

#### **TRAFFIC SAFETY COMMITTEE**

Second Wednesday of every month  
2:00 p.m. – City Hall Large Conference Room

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CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
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Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Stephen Norton E-Mail: steph@steph-n-l.com

Home Address: 1430 E 24th St, National City, CA Tel. No.: 6196028951

Business Affiliation: \_\_\_\_\_ Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 5 San Diego County: 26 California: 44

Educational Background:

Entrepreneurial Business Management, Pepperdine University

Veteran Entrepreneurship (V-WISE), Syracuse University - Martin J. Whitman School of Management, 2013

Occupational Experience:

retired Chief Petty Officer and decorated military Veteran, with significant experience within the international government sector - local, state

and federal regulatory compliance, as well as technology experience in research and development labs, the legal sector, and manufacturing.

Professional or Technical Organization Memberships:

member Homegrown by Heroes, Farmer Veteran Coalition,

USCG Chief Petty Officers Association, Coalition for Veteran Owned Business

Civic or Community Experience, Membership, or Previous Public Service Appointments:

Member National City Chamber of Commerce, Member San Diego Food Systems Alliance

Experience or Special Knowledge Pertaining to Area of Interest:

Retired U.S. Coast Guard Chief, decorated veteran. See attached bio-sketch

Have you ever been convicted of a felony crime? No: X Yes: \_\_\_\_\_ misdemeanor crime? No: X Yes: \_\_\_\_\_

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If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date: 3/31/2017

Signature: \_\_\_\_\_

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: **Office of the City Clerk**  
**1243 National City Blvd., National City, CA 91950**

Thank you for your interest in serving the City of National City.

This documents is filed as a public document  
2017

Revised: February

## **BOARDS, COMMISSIONS & COMMITTEES**

### **Meeting Times and Locations**

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3:00 p.m. – City Hall Large Conference Room

#### **TRAFFIC SAFETY COMMITTEE**

# STEPHENI NORTON

[steph@steph-n-i.com](mailto:steph@steph-n-i.com)

[www.linkedin.com/in/stepheninorton/](http://www.linkedin.com/in/stepheninorton/)

A retired Chief Petty Officer and decorated military Veteran, with significant experience within entrepreneurial business management, government sector - local, state, federal and international regulatory compliance, as well as technology experience in research and development labs, the legal sector, and manufacturing.

## PROFESSIONAL EXPERIENCE

### **SMALL BUSINESS ENTREPRENEUR.** 04/2003 to present

**Startup and Growth Strategy.** Set company vision, mission and goals. Prepare business plan, operation plan, marketing and sales plan, financial plan, and contingencies. Research and determine target market and competitors' strengths and characteristics. Plan and execute companies marketing and advertising plan. Hire and work closely with design resources to develop marketing and advertising copy and materials. Author classified ads, press and news releases, and article contributions to publicize the company. Locate and network with potential clients and suppliers. Create company data management plan; hire and work closely with administrative resources to manage and organize company data. Manage company A/P, A/R, payroll, tax and financial statements preparation. Manage customer feedback, act on their comments to ensure that their requests are taken care of.

**Dickinson Farm.**  
Small plot urban farm.  
2014 to present

**Dale St, South Park.**  
Residential income property.  
2008 to present

**Tradesmen.**  
Commercial income property and event space.  
2013 to present

**21 CFR Consulting, LLC.**  
Pharmaceutical, medical device and  
biotechnology software compliance consulting.  
2003 to 2008

### **YEOMAN.** U.S. Coast Guard Reserve, 02/2010 to 08/2015.

**Leadership.** Forward deployed, during Deepwater Horizon incident response and Operations Enduring Freedom, managing human resources, travel, pay and personnel administration for up to 2500 service members. Recruit Company Mentor, mentored new recruits into the highly-motivated apprentices needed to do Coast Guard work. Meritoriously advanced to Chief Petty Officer.

**Program Development.** Developed mobilization process benchmarked by the fleet, including tracking tool to manage, track and report on the over 4000 data points, generated by the mobilization of 77 service members. Developed a document management system to support the life cycle management of document based information to capture, storage, classify, index, version, and maintain required Unit directives and correspondence. Reduced lost items by over 95%.

**Research and Data Management.** Managing project officer for multi-district consolidation and reorganization - focused on requirement gathering and validation, process definition and improvement. Developed various metric gathering and reporting tools for over 2000 data points.

### **Military Awards.**

Coast Guard Commendation Medal; Army Commendation Medal, with Operational Distinguishing Device; Coast Guard Achievement Medal; Coast Guard Commandant Letter of Commendation Ribbon with Operational Distinguishing Device and Bronze Star; National Defense Service Medal with Bronze Star; Global War on Terrorism Expeditionary Medal; Global War on Terrorism Service Medal; Armed Forces Reserve Medal with two Mobilization devices; Coast Guard Overseas Service Ribbon; Coast Guard Enlisted Person of the Year Ribbon; Military Outstanding Volunteer Service Medal; Coast Guard Good Conduct Medal; and various other team, unit and service awards.

### **OMBUDSMAN.** U.S. Coast Guard, 09/2008 – 08/2013.

**Program Development.** Planned and executed first of its kind pre-deployment training collaborating with six community agencies to provide critical administrative, legal medial and work-life information to over 300 Coast Guard Members and family Members. Developed and implemented a strategic communication program to ensure effective communication between organizational leadership, community resources, Coast Guard Members and family Members during various short CONUS and long-term OCONUS deployments.



# STEPHENI NORTON

[steph@steph-n-i.com](mailto:steph@steph-n-i.com)

[www.linkedin.com/in/stepheninorton/](http://www.linkedin.com/in/stepheninorton/)

**Military Awards.** Reserve Family Readiness Award. 2011, 2013

**LEAD CONSULTANT.** 2000 – 2008.

**Leadership.** Lead consultant and then business owner of a Global Software Compliance Consulting firm. Schedule included foreign and domestic travel over 80%. Provided regulatory compliance expertise worldwide. Managed project working and travel budgets between \$50K-1.2M. Contributing author to various industry publications including IVT's Journal of Validation Compliance, a periodical sought after by the FDA regulated industry for subject matter expert advice; as well as a speaker at numerous industry events.

## RECENT EDUCATION & TRAINING

B.S., Business and Management, Pepperdine University, Currently  
Sustainable Agriculture Training Program, Cal Poly – Pomona, 2017  
Small Farms Program, Cornell University, 2016  
Small-Scale Farming, Arizona State University Food System Transformation, 2015  
Veteran Entrepreneurship (V-WISE), Syracuse University - Martin J. Whitman School of Management, 2013  
Chiefs Call to Indoctrination, October 3, 2013

## MEDIA APPERANCES

"Veteran Leadership" Interview, The Profitable Farm with Charlotte Smith, March 20, 2017  
"Hungry for Fresh Produce", Californian Garden Magazine, January 25, 2017  
"Entrepreneur program gives veteran her 'tribe' back", American Legion Magazine, January 18, 2017  
"Craft beer and local produce", San Diego Reader, December 27, 2016  
"Savoring San Diego: An Epicurean Adventure", Travel Channel, December 14, 2016  
"Veterans in the Workplace", San Diego Union Tribune, October 9, 2016  
"Leading Lady", Syracuse University, November 7, 2016  
"Simple Business Planning for Urban Backyard Market Garden" Workshop, Women in Sustainable Agriculture Conference, Oregon State University, 2016  
"A Tale of Destruction" Interview, Impact Matters Podcast, May 8, 2016

## BUSINESS HONORS

National City Business of the Year, Finalist. 2016  
Emerging Woman Owned Business Award, Finalist. 2016  
East Village Association - Most Collaborative Development, Finalist. 2015  
Veteran of the Day, U.S. Department of Veterans Affairs. 2015  
Student of the Week, Syracuse University, Institute for Veterans and Military Families. 2015  
Shipmate of the Week, U.S. Coast Guard. 2013  
Trooper Focus, The Wire, Joint Task Force Guantanamo Bay, Cuba. 2013  
50 People to Watch, San Diego Magazine. 2012  
Women Who Mean Business, Finalist, San Diego Business Journal. 2011

## PROFESSIONAL MEMBERSHIP

Board Member, National City Chamber of Commerce	Member, Farm Bureau
Voting Member, San Diego Food System Alliance	Member, National Young Farmers Coalition
Member, U.S. Coast Guard Chief Petty Officers Association	Certified Farm, Homegrown by Heroes
Member, Coalition for Veteran Owned Business	Member, Slow Food USA & Urban San Diego
Member, Farmer Veteran Coalition	Member, The Rosie Network

CITY OF NATIONAL CITY

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Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: \_\_\_\_\_ Damien Osip \_\_\_\_\_ E-Mail \_dosip@westfield.com

Home Address: 1551 4<sup>th</sup> Ave Unit 507, San Diego, CA 92101 Tel. No.: 619-997-2600

Business Affiliation: Westfield Plaza Bonita and North County Title: General Manager

Business Address: 3030 Plaza Bonita Road, Suite 2075, National City, CA 91950  
Tel. No.: 619-267-2850

Length of Residence in National City: N/A San Diego County: 5 years California: 6 years

Educational Background: MA in Organizational Management and BA in Political Science

Occupational Experience: US Air Force Officer for 6 years, Retail Leadership 8 years, and 5 years in Commercial Real Estate

Professional or Technical Organization Memberships: North County San Diego Chamber of Commerce member

Civic or Community Experience, Membership, or Previous Public Service Appointments: Former Board Member Escondido Chamber of Commerce

Experience or Special Knowledge Pertaining to Area of Interest: Former military officer

Have you ever been convicted of a felony crime? No: X Yes:\_\_\_ misdemeanor crime? No: X Yes:\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 4/28/17

Signature: \_\_\_\_\_

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: **Office of the City Clerk**  
**1243 National City Blvd., National City, CA 91950**

Thank you for your interest in serving the City of National City.

This documents is filed as a public document

Revised: February 2017

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Community & Police Relations Commission* (CPRC)  | <input type="checkbox"/> Civil Service Committee  |
| <input type="checkbox"/> Library Board of Trustees                                   | <input type="checkbox"/> Planning Commission      |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board          | <input type="checkbox"/> Public Art Committee*    |
| <input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: LIZ M. Ramirez E-Mail: Sillieptp@hotmail.com  
Home Address: 1119 Dartmouth St. Chula Vista, CA 91913 Tel. No.: 619-405-9829

Business Affiliation: \_\_\_\_\_ Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 5 yrs. San Diego County: 16 yrs. California: 35 yrs.

Educational Background: Will receive Bachelors Degree from SDSU on December 2017.

Occupational Experience: Navy Veteran 1999-2003, Command ombudsman for USS Cape St. George, Navy Exchange (5 years)

Professional or Technical Organization Memberships: National Criminal Justice Student Association

Civic or Community Experience, Membership, or Previous Public Service Appointments:

National City Host Lions Club since 2002.

Experience or Special Knowledge Pertaining to Area of Interest:

Been affiliated to the military as a veteran and spouse. 18 years

Have you ever been convicted of a felony crime? No: ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: ☒ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 5/24/17

Signature: Liz M. Ramirez

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: **Office of the City Clerk**  
**1243 National City Blvd., National City, CA 91950**

Thank you for your interest in serving the City of National City.



CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- |  |   |
|--|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC)             | <input type="checkbox"/> Civil Service Committee  |
| <input type="checkbox"/> Library Board of Trustees                                   | <input type="checkbox"/> Planning Commission      |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board          | <input type="checkbox"/> Public Art Committee*    |
| <input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: VILAVANH SANGINTHIRATH

E-Mail: VILAVANH@LIVE.COM

Home Address: 1013 E 18<sup>TH</sup> STREET NATIONAL CITY, CA 91950

Tel. No.: (858) 568-2326

Business Affiliation: SAN DIEGO INNOVATIONS & POWERHOUSE BUSINESS SOLUTIONS

Title: FOUNDER & CEO

Business Address: 9285 DOWDY DR. SUITE 205. SAN DIEGO, CA 92131

Tel. No.: (619) 434-2860

Length of Residence in National City: 32 YEARS San Diego County: 32 YEARS California: 32 YEARS

Educational Background: SAN DIEGO STATE UNIVERSITY, BUSINESS MANAGEMENT WITH AN EMPHASIS IN MARKETING. SAN DIEGO MESA COLLEGE, ASSOCIATES IN BUSINESS ADMINISTRATION. SAN DIEGO STATE UNIVERSITY, CERTIFICATE OF MANAGEMENT & LEADERSHIP

Occupational Experience: PLEASE SEE ATTACHMENT FOR OVERVIEW OF PROFESSIONAL EXPERIENCE

Professional or Technical Organization Memberships: MEMBER OF ASIAN BUSINESS ASSOCIATION. MEMBER OF CALIFORNIA DIVERSITY COUNCIL. MEMBER OF SAN DIEGO NON-PROFIT ASSOCIATION. SPEAKER AT MANY HIGH PROFILED CONFERENCES, EVENTS, AND YOUTH EMPOWERMENT OPPORTUNITIES.

Civic or Community Experience, Membership, or Previous Public Service Appointments: BOARD OF DIRECTOR, GIRLS IN TECH SAN DIEGO. BOARD OF DIRECTORS, BREAK THE SILENCE AGAINST DOMESTIC VIOLENCE. BOARD ADVISOR, GERSON INSTITUTE. EXECUTIVE TEAM MEMBER, MAINSTREET ALLIANCE SAN DIEGO.

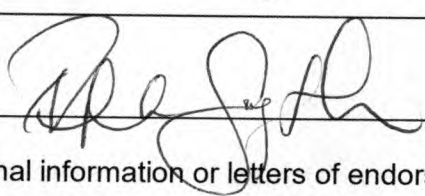
Experience or Special Knowledge Pertaining to Area of Interest: I HAVE MANY FAMILY MEMBERS AND CLOSE FRIENDS IN THE MILITARY, I UNDERSTAND THE COMPLEXITIES AND STRUGGLES OF LIVING THE MILITARY LIFESTYLE THAN MOST CIVILIANS. THE GREATEST PART IS THROUGH MY PROFESSIONAL BACKGROUND AND EXPERIENCES OF BEING AN ENTREPRENEUR AND WORKING WITH SMALL BUSINESSES, I'VE BEEN FORTUNATE



ENOUGH TO HELPED OVER 5 MILITARY INDIVIDUALS TRANSITIONING OUT OF THE FORCE  
TO START THEIR BUSINESS AND BUILD A GREAT FUTURE FOR THEIR FAMILIES. I'M  
CURRENTLY WORKING ON MY NEWEST INNITIATIVE CALLED SAN DIEGO INNOVATIONS,  
AND ONE OF THE FOCUS IS WORKING WITH THE WORKFORCE PARTNERSHIP TO PROVIDE  
A PIPELINE FOR MILITARY PERSONNELS THROUGHOUT SAN DIEGO. I'M IN DISCUSSIONS  
WITH COUNTY OF SUPERIOR COURT AND SECOND CHANCE TO PROVIDING A PROGRAM  
FOR MILITARY VETERANS TO GETTING THE MENTAL HEALTH, AND TRAINING NEEDED TO  
GET BACK ON THEIR FEET. FROM A PERSONAL STANDPOINT, I CAN SYMPATHIZE WITH THE  
STRUGGLES AND HEARTBREAK THAT COME WITH LOSING A LOVED SOLIDER AT WAR WITH  
THE LOSS OF MY COUSIN AND A COUPLE CLOSE FRIENDS, I'M A SINGLE MOTHER AND I'VE  
ALSO HELPED OVER 20 MILITARY PARENTS (SINGLE OR NOT) BY PROVIDING THEM  
RESOURCES AND OUTLETS THROUGH MY BLOG, MEET UP GROUPS, AND NETWORK  
OPPORTUNITITES TO GET THE SUPPORT NEEDED. I STARTED A SOCIAL GROUP CALLED  
MEMOIRS OF SINGLE PARENTS IN 2013, OVER 100 PARENTS IN THE GROUP ARE MILITARY  
MEMBERS AND HAVE REACHED OUT TO ME FROM ALL AREAS IN THE NATION TO THANK ME  
FOR MY SUPPORT AND AN AREA TO LET OUT THE PAIN AND STRUGGLES AS A PARENT. IN  
2005, I MOVED TO GERMANY FOR ONE YEAR TO BE A COUNSELOR FOR MILITARY  
CHILDREN WHERE I STAYED ON THE ARMY BASE AND HELPED KIDS FROM AGES 6  
MONTHS TO 17 YEARS OF AGE. I COACHED AND TAUGHT BASKETBALL, CONDUCTED  
EDUCATIONAL ACTIVITIES, BECAME AN OUTLET FOR CONSULTATION SO THE KIDS CAN  
RELATE AND HELP GUIDE THEM THROUGH DIFFICULT CHANGES. I BECAME GREAT  
FRIENDS WITH MANY OF THE PARENTS, COUNSELORS, AND TECHERS TO THIS DAY.

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐  
If any convictions were expunged disclosure is not required. Convictions are not necessarily  
disqualifying. Please feel free to provide an explanation or information regarding yes answers to the  
above two questions.

Date: 8/14/17

Signature: 

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

16

# Vilavanh Sanginthirath

*Innovative strategist and forward thinking team leader with a proven track record for identifying opportunities, present a bold vision, and building successful teams from the ground up*



Corporate | Nonprofit | Small Business  
Board Member | Community Leader

(858) 568-2326

[vilavanh@live.com](mailto:vilavanh@live.com)

San Diego, CA

ENTJ

## PROFESSIONAL EXPERIENCE

April 2017 - Present

San Diego, CA

### Chief Executive Officer

Powerhouse Business Solutions



#### Achievements

Developed and launched overall strategy, financial plans, pricing structure, legal contracts and business plan  
Build partnerships with local businesses, chambers, and community to drive economic growth and impact

January 2017 - June 2017

San Diego, CA

### Co-Managing Director &

Director of Marketing

Girls in Tech, San Diego



#### Achievements

Built infrastructure of organization including programs, marketing plans, strategic partnerships, executive team  
Advocated and spoke during events, media appearances  
Launched with over 550 registrants, and a 70% attrition

June 2016 - May 2017

San Diego, CA

### Director of Marketing

Gerson Institute



#### Achievements

Developed new infrastructure, workflow and processes for all departments: marketing, sales, production  
Launched Gerson Cookbook generating over \$200K  
Conducted systems & process, saving over \$50K

November 2014 - May 2016

San Diego, CA

### Marketing Manager | Canada

HD Supply, Inc.



#### Achievements

Generated over \$8MM and contributed 16% in co. sales  
Exceeded forecast and hit a record \$50MM in revenue  
Lead new market strategy & website, drove 16% growth

April 2014 - November 2014

San Diego, CA

### CRM Marketing Campaign Manager

Petco Animal Supplies, Inc.



#### Achievements

Managed F&F Campaign, generate \$3.4MM in 2 days  
Support campaigns for loyalty, ecommerce, merchandise

## AREAS OF EXPERTISE

Years of Experience

6

8

10



## INVOLVEMENT & ACHIEVEMENTS

- SD Magazine - Woman of the Year 2017 Nominee
- Intern - Councilmember A. Sotelo-Solis
- Board of Director - Break the Silence Against DV
- Board Advisor - Gerson Institute
- Advocate - Veterans & Military Family Meet Ups
- Speaker - U.S. News STEM Solutions Conference
- Executive Team - Women of Main Street Alliance
- Member - Asian Business Association
- Member - American Marketing Association
- Member - California Diversity Council
- Member - San Diego Non-Profit Association
- Speaker - Break the Silence Community Outreach

## EDUCATION

- San Diego State University  
Business Management - emphasis in Marketing
- San Diego State University  
Certificate in Management & Leadership

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an \*

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Meg Storer E-Mail: mstorer@allsandiego.org  
Home Address: 6534 Nor Crane Way #2, SD 92137 Tel. No.: 858-497-6150  
Business Affiliation: 211 San Diego Title: Vice President of Community & Government Relations  
Business Address: 38110 Calle Fortuna, San Diego 92123 Tel. No.: 858-371-1245  
Length of Residence in National City: \_\_\_\_\_ San Diego County: \_\_\_\_\_ California: \_\_\_\_\_  
Educational Background: Masters of Arts in Nonprofit Leadership and Management from University of San Diego  
Occupational Experience: \_\_\_\_\_

Professional or Technical Organization Memberships: 2nd Vice President of San Diego Veterans Coalition (SDVC)

Civic or Community Experience, Membership, or Previous Public Service Appointments: \_\_\_\_\_

Experience or Special Knowledge Pertaining to Area of Interest: \_\_\_\_\_

Have you ever been convicted of a felony crime? No ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: \_\_\_\_\_ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 3/28/17

Signature: [Signature]

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: Office of the City Clerk  
1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

The following page(s) contain the backup material for Agenda Item: Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)



Item # \_\_\_\_

09/05/17

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL  
CITY APPROVING THE WAIVING OF THE READING OF THE  
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING  
AND PROVIDING THAT SUCH ORDINANCES SHALL BE  
INTRODUCED AND/OR ADOPTED AFTER A READING  
OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: Approval of the Minutes of the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City of May 16, 2017. (City Clerk)

Item # \_\_\_\_

09/05/17

**APPROVAL OF THE MINUTES OF THE REGULAR  
MEETING OF THE CITY COUNCIL AND COMMUNITY  
DEVELOPMENT COMMISSION – HOUSING AUTHORITY  
OF THE CITY OF NATIONAL CITY OF MAY 16, 2017.**

(City Clerk)

DRAFT      DRAFT      DRAFT

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**May 16, 2017**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:20 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Duong, Morris-Jones, Muthusamy, Parra, Raulston, Roberts, Rodriguez, Stevenson, Vergara, Williams, Ybarra.  
Others present: City Treasurer Mitch Beauchamp and Student Representative Jose Estrada.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Sunshine Horton, El Cajon, played a recording and read inspirational passages encouraging everyone to come together and be friends.

Brian Clapper, National City, representing the Maytime Band Review Association, invited everyone to their kick-off spaghetti dinner on May 19<sup>th</sup> at the American Legion to raise funds for this year's parade.

Dominga Studer, representing Kitchen Logic, extended an invitation for the City Council to attend their open house event on May 22<sup>nd</sup>.

Michael Buscenni, Nationwide Enterprises, spoke on behalf of the Hilltop Homes project and suggested a desired course of action to resolve the current situation.

**PROCLAMATIONS**

**PROCLAMATION ADMIN (102-2-1)**

1. Proclaiming May 21 – May 27, 2017 as "National Public Works Week"



## PRESENTATIONS

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2017 (102-10-12)

2. Public Works Projects and Quality of Life Program. (Engineering/Public Works)

**PRESENTATION:** Assistant Director of Engineering/Public Works Kuna Muthusamy gave an overview of the Public Works Department staffing, organization and overall responsibilities.

Don Jasmund, Street & Wastewater Supervisor; Jeff Rouston, Wastewater Crew Chief; Mike Diaz, Park Superintendent; Arturo Gonzalez, Facilities Maintenance Supervisor and Ruben Huerta, Lead Mechanic gave individual presentations highlighting the activities and accomplishments of their respective divisions within the Public Works Department.

(A Copy of the presentation is on file in the office of the City Clerk.)

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2017 (102-10-12)

3. Update on Alpha Project Homeless Outreach and Pilot Program. (Neighborhood Services)

(A Copy of the presentation is on file in the office of the City Clerk.)

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2017 (102-10-12)

4. Community Services Day. (Community Services)

(A Copy of the presentation is on file in the office of the City Clerk.)

## INTERVIEWS / APPOINTMENTS

None

## CITY COUNCIL

## CONSENT CALENDAR

**ADOPTION OF CONSENT CALENDAR.** Item No. 5 (NCCMC), Item No. 6 (Resolution No. 2017-70), Items Nos. 7 through 8 (Temporary Use Permits), Item Nos. 9 through 10 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, to pull Item No. 7 and approve remaining Consent Calendar Items. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2017 (506-2-32)**

5. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

**CONTRACT (C2016-11)**

6. Resolution No. 2017-70. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ACCEPTING THE WORK PERFORMED BY FORDYCE CONSTRUCTION, INC. FOR THE LAS PALMAS PARK MUNICIPAL POOL/CAMACHO GYM/ FIRE STATION 31 IMPROVEMENTS PROJECT, CIP NO. 16-02; 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$479,774.07; 3) RATIFYING THE RELEASE OF RETENTION IN THE AMOUNT OF \$23,988.70; AND 4) RATIFYING THE FILING OF THE NOTICE OF COMPLETION FOR THE PROJECT. (Engineering/Public Works)

**ACTION:** Adopted. See above

**TEMPORARY USE PERMITS 2017 (203 -1-33)**

7. Temporary Use Permit - Las Palmas 5k and 1 Mile Walk hosted by Las Palmas Elementary School on June 10, 2017 from 7:45 a.m. to 12 p.m. with no waiver of fees. (Neighborhood Services)

**RECOMMENDATION:** Approve the application subject to compliance with all conditions of approval with no waiver of fees in accordance with City Council Policy 802.

**ACTION:** Motion by Cano, seconded by Mendivil to approve staff recommendation with no fee waiver.

A Substitute Motion by Rios to waive \$200 died for lack of seconded.

The Original Motion carried by unanimous vote.

**TEMPORARY USE PERMITS 2017 (203 -1-33)**

8. Temporary Use Permit - Saint Anthony of Padua Festival at 1816 Harding Avenue from June 10, 2017 to June 11, 2017 with no waivers of fees. (Neighborhood Services)

**ACTION:** Adopted. See above

**WARRANT REGISTER JULY 2016 – JUNE 2017 (202-1-31)**

9. Warrant Register #40 for the period of 03/29/17 through 04/04/17 in the amount of \$1,366,018.20. (Finance)

**ACTION:** Ratified. See above.

**CONSENT CALENDAR (cont.)**

**WARRANT REGISTER JULY 2016 – JUNE 2017 (202-1-31)**

10. Warrant Register #41 for the period of 04/05/17 through 04/11/17 in the amount of \$2,275,163.62. (Finance)  
**ACTION:** Ratified. See above.

**NON CONSENT RESOLUTIONS**

**FINANCIAL MANAGEMENT 2016-2017 (204-1-32)**

11. Resolution No. 2017-71. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE FOLLOWING ACTIONS TO REALLOCATE CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDING FOR HISTORIC PROPERTY PRESERVATION: 1) RELEASE GENERAL FUND APPROPRIATIONS IN THE AMOUNT OF \$107,576.73 FROM THE PLAZA BOULEVARD PLAYHOUSE DEMOLITION PROJECT, AS THIS PROJECT WAS COMPLETED UNDER BUDGET; AND 2) APPROPRIATE \$107,576.73 TO NEW GENERAL FUND CIP EXPENDITURE ACCOUNT FOR HISTORIC PROPERTY PRESERVATION. (Engineering/Public Works)  
**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None

**ACTION:** Motion by Mendivil, seconded by Sotelo-Solis, to adopt the Resolution. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS**

**ENGINEERING / PUBLIC WORKS DEPT - GRANTS / REPORTS  
ADMIN (1104-1-1)**

12. Resolution No. 2017-72. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY 1) AUTHORIZING THE FILING OF A PROJECT APPLICATION IN THE AMOUNT OF \$2,539,000 FOR THE BAYSHORE BIKEWAY SEGMENT 5B THROUGH THE CALIFORNIA DEPARTMENT OF NATURAL RESOURCES URBAN GREENING GRANT PROGRAM, WHICH INCLUDES AN "IN-KIND" LOCAL MATCH OF \$50,000 FOR STAFF PROJECT MANAGEMENT, FOR A TOTAL PROJECT COST OF \$2,589,000; AND 2) AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE GRANT AGREEMENT IF SELECTED FOR FUNDING. (Engineering/Public Works)  
**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None

**ACTION:** Motion by Mendivil, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS (cont.)**

**ENGINEERING / PUBLIC WORKS DEPT - GRANTS / REPORTS  
ADMIN (1104-1-1)**

13. Resolution No. 2017-73. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY 1) AUTHORIZING THE FILING OF A PROJECT APPLICATION IN THE AMOUNT OF \$1,151,265 FOR PARADISE CREEK PARK THROUGH THE CALIFORNIA DEPARTMENT OF NATURAL RESOURCES URBAN GREENING GRANT PROGRAM, WHICH INCLUDES A LOCAL MATCH OF \$1,331,312 FUNDED THROUGH THE SITE INFRASTRUCTURE AGREEMENT WITH PARADISE CREEK II HOUSING PARTNERS, L.P., "PHASE II DEVELOPER" FOR THE WESTSIDE INFILL TRANSIT ORIENTED DEVELOPMENT (WI-TOD) PROJECT, FOR A TOTAL PROJECT COST OF \$2,482,577; AND 2) AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE GRANT AGREEMENT IF SELECTED FOR FUNDING. (Engineering/Public Works)  
**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**NEW BUSINESS**

**FINANCIAL MANAGEMENT 2016-2017 (204-1-32)**

14. Request for City Council direction regarding the establishment of a trust or trusts to prefund the City's unfunded pension and/or OPEB liabilities and inclusion of a total initial contribution to the trust(s) of up to \$1 million, allocated amongst City funds with pension and/or OPEB obligations, as applicable, and sufficient available resources, using available fund balance, as needed. (Finance)

**RECOMMENDATION:** Provide staff direction to: 1) Proceed with the establishment of an irrevocable supplemental trust to prefund the City's net pension liability. 2) Include a total initial contribution to the trust of up to \$1 million; and 3) allocate the initial contribution amongst City funds with pension obligations and sufficient available resources, using available fund balance, as needed.

**TESTIMONY:** None

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to approve staff recommendation. Carried by unanimous vote.

**B. COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY**

**NO AGENDA ITEMS**



**C. REPORTS**

**STAFF REPORTS**

**SPECIFIC PLAN – DOWNTOWN (417-1-9)**

15. Update on Downtown Specific Plan, Parking Management Plan, and Request for Proposals (RFP). (City Manager)  
(A Copy of the update is on file in the office of the City Clerk.)

**MIS DEPT ADMIN (1104-1-14)**

- 15a. Report on SDG&E Plan for charging stations  
Staff reported that SDG&E has initiated a project to install several auto charging stations in the area and paying for all costs of installation and maintenance for ten years.

**CLOSED SESSION REPORT**

City Attorney Angil Morris-Jones stated there was nothing to report from the Closed Session. (See attached Exhibit "L")

**MAYOR AND COUNCIL**

Student Council Representative Jose Estrada praised the "Every Fifteen Minutes Program" put on by the Fire and Police Departments at Sweetwater and thanked the City for putting on such an impactful and meaningful program.

City Treasurer Mitch Beauchamp expressed concerns about new recycling procedures and wastewater relocations that will negatively impact small businesses.

Vice Mayor Mendivil praised the "Every Fifteen Minutes Program" as very impactful and meaningful and thanked staff for the recent Day of Prayer event at Kimball Park and reported that the clergy were very appreciative of City efforts. Member Mendivil related an experience he had with panhandlers on the east end of the City and was hoping there could be more enforcement and a crackdown on those who decline the help the City offers through the Alpha Project.

Member Sotelo-Solis questioned how much is known about human-trafficking's impacts on homelessness and panhandling; praised the "Every Fifteen Minutes Program" as very impactful and worthwhile; requested future Proclamations for "Alzheimer's – Brain Awareness Month" and "Small Business Owners" and complimented the Public Works Staff presentation.

Member Rios also praised "Every Fifteen Minutes"; commended the Police Chief for finding a way to fund the program; referenced the Firefighter who became a victim while rendering aid and the need to have appropriate counseling available; reminded everyone about the upcoming spring clean-up dates with Edco on June

**MAYOR AND COUNCIL (continued)**

3rd and 10<sup>th</sup> and advised that she had tickets for the Maytime Band Review Kickoff event on May 19<sup>th</sup>.

Mayor Morrison said that all requests for Proclamations should be submitted to his office and he would give them full consideration and provided details on what the participants in the "Every Fifteen Minutes" Program go through and experience. Mayor Morrison stated his concern that the City's position is not being accurately represented on the Metropolitan Transit System (MTS) Board and his belief that we are not on outside Boards for our own personal agendas – we represent the City. The Mayor put everyone on notice that if the practice continues, he will request putting the matter on the agenda for discussion and possible action.

**ADJOURNMENT**

Motion by Sotelo-Solis, Seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City to be held Tuesday, June 6, 2017 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote

The meeting closed at 9:33 p.m.

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City Clerk

The foregoing minutes were approved at the Regular Meeting of September 5, 2017.

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Mayor

---

BUDGET SCHEDULE - FISCAL YEAR 2018

Budget Hearing - June 6, 2017 - 6:00 p.m.

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CITY COUNCIL SUMMER LEGISLATIVE RECESS

July 4, 2017 - City Council Meeting - Dispensed With  
July 18, 2017 - City Council Meeting - Dispensed



**AGENDA OF A SPECIAL MEETING**

**-- CLOSED SESSION --**

**CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AND  
PARKING AUTHORITY OF THE CITY OF NATIONAL CITY**

**Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California**

**Special Meeting - Tuesday, May 16, 2017 – 5:00 p.m.**

**ROLL CALL**

**CLOSED SESSION**

**CITY COUNCIL**

1. Conference with Legal Counsel – Pending Litigation  
Litigation under Paragraph (1) of Subdivision (d) of Government Code Section 54956.9  
*Chris Reimer v. City of National City, et al.*  
SDSC Case No. 37-2015-000-38580
2. Conference with Legal Counsel – Threatened Litigation  
Threat of Litigation Pursuant to Government Code Section 54956.9(e) (5)  
One Potential Case

**PARKING AUTHORITY**

3. Conference with Real Property Negotiators  
Government Code Section 54956.8  
Property: 15.08-acre Parcel at the Southwest Corner of Sweetwater Road and Plaza Bonita Center Way (A.P.N. 564-471-11)  
Agency Negotiator: Brad Raulston, Deputy City Manager



Negotiating Parties: CarMax Auto Superstores California, LLC

Exhibit "L"

Under Negotiation: Price and Terms of Payment

**ADJOURNMENT**

Next Regular City Council and Parking Authority Meetings:

Tuesday, May 16, 2017, 6:00 p.m., City Council Chambers, Civic Center

DRAFT

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City: 1) ratifying the acceptance of the California Library Literacy Services (CLLS) Grant of \$18,000 to fund the National City Library's literacy services program for FY2017-18; and 2) authorizing th

# CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City: 1) ratifying the acceptance of the California Library Literacy Services (CLLS) Grant of \$18,000 to fund the National City Library's literacy services program for FY2017-18; and 2) authorizing the establishment of a Literacy Services Grant Fund appropriation of \$18,000 and corresponding revenue budget.

**PREPARED BY:** Lupe Hernandez

**PHONE:** 619-470-5800

**DEPARTMENT:** Library

**APPROVED BY:** 

**EXPLANATION:**

The CLLS grant is designed to support the Library's literacy services program to English-speaking adults who seek to improve their reading, writing, and math skills. In determining the amount of funding to the libraries that provide literacy services to their communities, the California State Library uses a funding formula that consists of three parts:

1. A *baseline* amount of \$18,000 to provide a minimum level of local literacy staffing and services;
2. A *per capita* amount per adult learner served in the previous year; and
3. A *match* of local funds earmarked for adult literacy services. This local match is fulfilled by a CDBG grant awarded to the Library by the City Council on May 2<sup>nd</sup> in the amount of \$44,000 to defray the personnel costs of the Literacy Coordinator who oversees the operation of the literacy program.

The CLLS grant is awarded in two installment payments. At this time, the baseline of \$18,000 was provided. The remainder will be sent in the fall after submittal and review of last year's final report in September.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

320-31339-3463 (Literacy Services Grant) - \$18,000

320-431-339\* (Literacy Services Grant) - \$18,000

**APPROVED:** 

**FINANCE**

**APPROVED:**

**MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

Approved by the Library Board of Trustees on August 14, 2017.

**ATTACHMENTS:**

1. Award Letter
2. Resolution





August 1, 2017

Minh Duong, City Librarian  
National City Public Library  
1401 National City Boulevard  
National City, CA 91950-4401

Dear Ms. Duong:

We're happy to provide funds for the fiscal year that began July 1, to support your California Library Literacy Services program and the important work you, your staff and volunteers do in your community.

The recently signed state budget continues California Library Literacy Services funding at \$4.82 million, a \$2 million increase over the funding level a few years ago.

At this time, we're providing the \$18,000 baseline amount for your program. The remainder will be sent in the fall after a review of the reports you submit to us in September.

There are three parts to the library's funding formula:

1. A *baseline* amount (\$18,000) for each approved literacy program to provide libraries with the funding needed to deliver a minimum level of local literacy staffing and services;
2. A *per capita* amount per adult learner served in the previous year; and
3. A *match* on local funds raised and expended for adult literacy services—reflecting a commitment to a continuing state/local partnership and providing an incentive for increased local support for adult literacy.

The payment process begins once we receive your signed Claim Form (attached). Please direct any questions to: Andrea Freeland @ 916.651.3191 and/or [andrea.freeland@library.ca.gov](mailto:andrea.freeland@library.ca.gov).

**NOTE:** All claims must be completed and signed in both places and all claims must be mailed to Fiscal Office – must have original signatures to process claims.

Thank you for your willingness to do so much for so many people in need.

Respectfully yours,

  
Greg Lucas  
California State Librarian

cc: Matthew Boatman, Literacy Coordinator  
File

Enc.: Claim Form



RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
RATIFYING THE ACCEPTANCE OF A CALIFORNIA LIBRARY LITERACY  
SERVICES GRANT IN THE AMOUNT OF \$18,000 TO FUND  
THE NATIONAL CITY LIBRARY'S LITERACY SERVICES PROGRAM  
FOR FISCAL YEAR 2018, AND AUTHORIZING THE ESTABLISHMENT  
OF AN APPROPRIATION AND CORRESPONDING REVENUE  
BUDGET IN THE AMOUNT OF \$18,000

WHEREAS, the California Library Literacy Services ("CLLS") Grant is designed to support the Library's literacy services program to English-speaking adults who seek to improve their reading, writing, and math skills; and

WHEREAS, to determine the amount of funding for libraries that provide literacy services to their communities, the California State Library uses a funding formula consisting of the following three part: (1) a baseline amount to provide a minimum level of local literacy staffing and services, (2) a per capita amount per adult learner served in the previous year, and (3) a match of local funds earmarked for adult literacy services; and

WHEREAS, the CLLS grant is provided to the Library in two payments each year; the first payment of \$18,000 is the baseline amount, and the second payment is determined by applying the other two parts of the formula (per capita match) once the final report on the previous fiscal year is submitted to the State Library by the August 15 deadline.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby ratifies the acceptance of grants funds in the amount of \$18,000 from the California Library Literacy Services Grant

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby ratifies the acceptance of \$18,000 in grant funds from California Library Literacy Services for funding of the National City Public Library's literacy services.

BE IT FURTHER RESOLVED that the City Council authorizes the establishment of appropriations and a corresponding revenue budget in the amount of \$18,000.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute a Grant Subaward Amendment for additional grant funds in the amount of \$27,689 from the FY16 Urban Area Security Initiative (UASI) Grant Funds, for a total grant

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the Mayor to execute a Grant Subaward Amendment for additional grant funds in the amount of \$27,689 from the FY16 Urban Area Security Initiative (UASI) Grant Funds, for a total grant amount of \$246,699, for the reimbursable grant purchase of equipment, planning, and training for the Police and Fire Departments; and authorizing the establishment of an appropriation in the amount of \$27,689 and a corresponding revenue budget. (FIRE)

**PREPARED BY:** Frank Parra, Director of Emergency Services

**DEPARTMENT:** Fire

**PHONE:** 619-336-4551

**APPROVED BY:** 

**EXPLANATION:**

On February 7, 2017, the City Council passed Resolution # 2017-12 that authorized the execution of an agreement between the City of San Diego Office of Homeland Security and the City for the distribution of FY16 Urban Area Security Initiative (UASI), and authorized the establishment of an appropriation and corresponding revenue budget in the total amount of \$219,010 from the FY16 Grant Funds. The bulk of the appropriation (Project D Communications Equipment \$200,000) was to be used to upgrade three radio consoles to the new P25 MC7500 consoles at National City Police Dispatch. Subsequent to the original grant request, new revised and updated quotes were received from Motorola that increased the costs by \$27,689. As a result, a new total appropriation for Project D Communications Equipment of \$227,689 was required and approved. The original \$10,000 toward Planning and \$9,010 for Training for the Fire and Police Departments will remain the same.

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

**APPROVED:**

**MIS**

Expenditure Account: 282-411-937-515-0000 Communication Equipment - \$227,689, 282-411-937-226-0000 Training - \$4,505, 282-412-937-226-0000 Training - \$4,505, 282-412-937-502-0000 Computer Equipment - \$10,000  
Revenue Account: 282-11937-3498 - \$232,194 & 282-12937-3498 - \$14,505. No City match required.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Resolution # 2017-12
2. Grant Subaward Amendment Form
3. Resolution



RESOLUTION NO. 2017 – 12

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN  
THE CITY OF SAN DIEGO OFFICE OF HOMELAND SECURITY AND  
THE CITY OF NATIONAL CITY FOR THE DISTRIBUTION OF FISCAL YEAR 2016  
URBAN AREA SECURITY INITIATIVE GRANT FUNDS, AND AUTHORIZING  
THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING  
REVENUE BUDGET IN THE GRANT AMOUNT OF \$219,010 FOR  
THE REIMBURSABLE GRANT PURCHASE OF EQUIPMENT, PLANNING,  
AND TRAINING FOR THE POLICE AND FIRE DEPARTMENTS

WHEREAS, the Urban Area Security Initiative ("UASI") Grant Program provides funding for equipment, planning, and training necessary to respond to natural or man-made disasters or terrorism incidents that may occur in the San Diego urban area; and

WHEREAS, the City of National City is required to execute an Agreement for the distribution of Fiscal Year 2016 UASI grant funds with the City of San Diego Office of Homeland Security that documents the roles, responsibilities, and expectations at the local, State, and federal levels, and ensures that the City of National City, as a participant in the program, agrees to meet the State and federal requirements; and

WHEREAS, the Agreement provides the City with UASI grant funds in the amount of \$219,010, and requires the City to incur expenses for equipment, planning, and training for police and fire personnel, and then apply for reimbursement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the Mayor to execute an Agreement with the City of San Diego Office of Homeland Security for the distribution of Fiscal Year 2016 Urban Area Security Initiative grant funds in the amount of \$219,010 for the reimbursable purchase of equipment, planning, and training for the Police and Fire Departments. Said Agreement is on file in the office of the City Clerk.

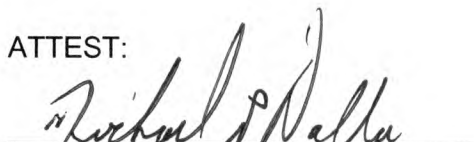
BE IT FURTHER RESOLVED that staff is directed to request reimbursement of funds in the amount of \$219,010 from the Fiscal Year 2016 Urban Area Security Initiative Grant Program.

BE IT FURTHER RESOLVED that the City Council of the City of National City authorizes the establishment of an appropriation and corresponding revenue budget in the amount of \$219,010.


PASSED and ADOPTED this 7<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

  
\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
George H. Eiser, III  
Interim City Attorney



Passed and adopted by the Council of the City of National City, California, on February 7, 2017 by the following vote, to-wit:

Ayes: Councilmembers Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON  
Mayor of the City of National City, California



Richard D. Palla  
City Clerk of the City of National City, California

By: \_\_\_\_\_  
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2017-12 of the City of National City, California, passed and adopted by the Council of said City on February 7, 2017.

\_\_\_\_\_  
City Clerk of the City of National City, California

By: \_\_\_\_\_  
Deputy

City of San Diego Office of Homeland Security

**GRANT SUBAWARD AMENDMENT**

**DATE**

**GRANT NAME**

**Federal Grant #**

**CalOES #**

**Amendment #**

**Project #**

**DUNS#**

**Performance Period**

**to**

This amendment is between the City of San Diego Office of Homeland Security, hereafter called OHS, and the Grant Subrecipient:

--

**Subrecipient (Certification and Signature of Authorized Agent)**

<b>By (Authorized Signature)</b>	<b>Date</b>
<b>Printed Name</b>	<b>Title</b>
<b>Address</b>	
<b>Mail Original Signed form to OHS: 1010 Second Avenue, Suite 1500, San Diego, CA 92101</b>	

**For OHS use only**

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above

**Signature of OHS Program Manager**

**Date**

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE MAYOR TO EXECUTE A GRANT SUBAWARD  
AMENDMENT FOR ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$27,689  
FROM THE FISCAL YEAR 2016 URBAN AREA SECURITY INITIATIVE (UASI)  
GRANT FUNDS, FOR A TOTAL GRANT AMOUNT OF \$246,699, FOR  
THE REIMBURSABLE GRANT PURCHASE OF EQUIPMENT, PLANNING,  
AND TRAINING FOR THE POLICE AND FIRE DEPARTMENTS; AND  
AUTHORIZING THE ESTABLISHMENT OF AN APPROPRIATION AND  
A CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$27,689

WHEREAS, on February 7, 2017, the City Council passed Resolution No. 2017-12 authorizing the Mayor to execute an Agreement between the City of San Diego Office of Homeland Security and the City of National City for the distribution of Fiscal Year 2016 Urban Area Security Initiative (UASI) grant funds in the amount of \$219,010, and authorizing the establishment of an appropriation and corresponding revenue budget; and

WHEREAS, the bulk of the appropriation (Project D Communications Equipment \$200,000) was to be used to upgrade three radio consoles to new P25 MC7500 consoles at the National City Police Department for the dispatchers; and

WHEREAS, subsequent to the original grant request, new revised and updated quotes were received from Motorola that increased the cost by \$27,689; and

WHEREAS, the City of San Diego Office of Homeland Security has approved additional grant funds in the amount of \$27,689 to cover the increased cost of new P25 MC7500 consoles, which requires the establishment an appropriation and corresponding revenue budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the establishment of an appropriation and corresponding revenue budget in the amount of \$27,689 for the increase to the Fiscal Year 2016 Urban Area Security Initiative (UASI) grant funds, for the total grant amount of \$246,699.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing an appropriation increase and corresponding revenue budget increase in the amount of \$163,000 for the EsGil Corporation (SAFEbuilt) for building plan check services for FY-2017. (Buil



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing an appropriation increase and corresponding revenue budget increase in the amount of \$163,000 for the EsGil Corporation for building plan check services for FY-2017. (Building/Fire)

**PREPARED BY:** Frank Parra, Director of Emergency Services

**DEPARTMENT:** Building and Fire

**PHONE:** 619-336-4551

**APPROVED BY:** 

**EXPLANATION:**

On September 20, 2016, the City Council adopted Resolution # 2016-150 approving an agreement between EsGil Corporation (SAFEbuilt) for building plan check services, including the not to exceed amount of \$800,000 per year for a term of three year. The National City Building and Fire Departments has seen a continued increase in submittals for Plan checks and Inspections. This trend began in 2015-16 and continues into this year. In FY-2017, an initial appropriation of \$400,000 was budgeted. The initial appropriation was exceeded by \$163,000. As a result, this request is to authorize an appropriation increase and corresponding revenue budget increase in the amount of \$163,000 for FY-2017. The expense is completely offset by revenue collected at the time of plan submittals.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

120-00000-3545 (Plan Check Revolving Fund) - \$163,000.00

120-412-028-213-0000 (Professional Services) - \$163,000.00

**APPROVED:** 

**FINANCE**

**APPROVED:** \_\_\_\_\_

**MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Resolution # 2016-150
2. Resolution

RESOLUTION NO. 2016 –150

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN  
THE CITY OF NATIONAL CITY AND ESGIL CORPORATION TO PROVIDE  
ON-CALL PLAN REVIEWS, PERMIT PROCESSING, CONSTRUCTION  
INSPECTIONS, CODE ENFORCEMENT SERVICES, AND RELATED SERVICES  
FOR VARIOUS CITY DEPARTMENTS, INCLUDING BUT NOT LIMITED TO,  
BUILDINGS, FIRE, AND ENGINEERING, FOR A NOT TO EXCEED  
AMOUNT OF \$800,000 PER YEAR FOR A TERM OF THREE YEARS

WHEREAS, on April 30, 2013, the City issued to 30 firms a Request for Proposal for on-call services to provide assistance with permit processing, plan reviews, construction inspections, and code enforcement services for various City departments, including but not limited to, Building, Fire, and Engineering; and

WHEREAS, EsGil Corporation ("EsGil") was found to be the most qualified to provide these services to the City; and

WHEREAS, on August 6, 2013, the City Council adopted Resolution No. 2013-112, entering into an Agreement with Esgil Corporation for the total not-to-exceed amount of \$300,000 per year for three years for plan reviews, and \$100,000 per year for three years for all other services, for a total not-to-exceed amount of \$400,000 per year for on-call services to provide assistance with permit processing, plan reviews, construction inspections, and code enforcement services for various City departments, including but not limited to, Building, Fire, and Engineering for a term of three (3) years; and

WHEREAS, over the last two years, the City has experienced a continued increase in submittals for plan checks and inspections that have exhausted the initial appropriations of \$300,000 for plan reviews, and \$100,000 for services outside of plan reviews; and

WHEREAS, the City and Esgil desire to enter into a new agreement not to exceed \$800,000 per year for a period of three years with an option to extend the term of the agreement by one year with no more than three extensions; and

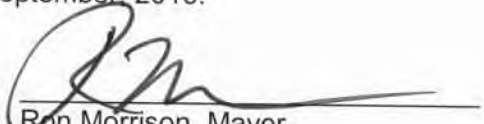
WHEREAS, the Agreement will be funded by fees collected, developer deposits, and various capital improvement projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the Mayor to execute a three-year Agreement with EsGil Corporation in the not-to-exceed amount of \$800,000 per year to provide on-call assistance with permit processing, plan reviews, construction inspections, and code enforcement services for various City departments, including but not limited to, Building, Fire and Engineering.

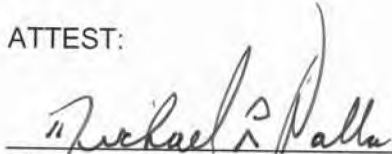
*[Signature Page to Follow]*



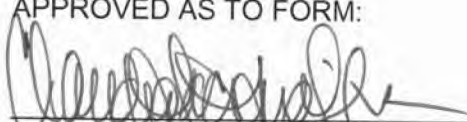
PASSED and ADOPTED this 20<sup>th</sup> day of September, 2016.

  
Ron Morrison, Mayor

ATTEST:

  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

  
Claudia Gacitua Silva  
City Attorney

Passed and adopted by the Council of the City of National City, California, on September 20, 2016 by the following vote, to-wit:

Ayes: Councilmembers Cano, Mendivil, Morrison, Rios.

Nays: None.

Absent: Councilmember Sotelo-Solis.

Abstain: None.

AUTHENTICATED BY: RON MORRISON  
Mayor of the City of National City, California



Richard L. Hall  
City Clerk of the City of National City, California

By: \_\_\_\_\_  
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2016-150 of the City of National City, California, passed and adopted by the Council of said City on September 20, 2016.

\_\_\_\_\_  
City Clerk of the City of National City, California

By: \_\_\_\_\_  
Deputy



RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING AN INCREASE TO THE APPROPRIATION AND  
CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$163,000  
FOR THE AGREEMENT WITH ESGIL CORPORATION (SAFEUILT)  
FOR BUILDING PLAN CHECK SERVICES FOR FISCAL YEAR 2017

WHEREAS, on September 20, 2016, the City Council adopted Resolution No. 2016-150 entering into a three-year Agreement with EsGil Corporation (SAFEuilt) in the not-to-exceed amount of \$800,000 per year to provide on-call assistance with permit processing, plan reviews, construction inspections, and code enforcement services for various City departments, including but not limited to, Building, Fire and Engineering; and

WHEREAS, an initial appropriation and revenue budget was established in the amount of \$400,000 for Fiscal Year 2017; and

WHEREAS, due to the continued increase in submittals for building plan checks and inspections, the initial appropriation was exceeded by \$163,000; and

WHEREAS, an appropriation in the amount of \$163,000 and a corresponding budget revenue is necessary for the increase in Fiscal Year 2017; and

WHEREAS, the expense is completely offset by revenue collected by the City at the time of plan submittals.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes an increase in the amount of \$163,000 to the appropriation and corresponding revenue budget for the Agreement with Esgil Corporation for building plan check services for Fiscal Year 2017.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the acceptance of a \$5,000 check from Jesus The Great I Am Church Inc. on behalf of the National City Fire Department for the purchase of three Automatic External Defibrillators (AEDs

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the acceptance of a \$5,000 check from Jesus The Great I Am Church Inc. on behalf of the National City Fire Department for the purchase of three Automatic External Defibrillators (AEDs), and authorizing the establishment of an appropriation and corresponding revenue budget. (Fire)

**PREPARED BY:** Frank Parra, Director of Emergency Svcs. **DEPARTMENT:** Fire

**PHONE:** 619-336-4551

**APPROVED BY:** 

**EXPLANATION:**

On July 22, 2017, the National City Fire Department met with members of Jesus The Great I Am Church Inc. At that time, the church pastor and members presented a \$5,000 check to the National City Fire Department. Jesus The Great I Am Church Inc. is a church with their business address in San Diego, but they have Sunday services in National City and are looking for a permanent location for the church in National City. One of their missions is to support local communities in various aspects where help is needed. The National City Fire Department would like to purchase three (3) Automatic External Defibrillators (AEDs) for City facilities.

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**APPROVED:** \_\_\_\_\_

**MIS**

**ACCOUNT NO.**

001-00000-3637 (Donations) - \$5,000.00

001-412-125-305-0000 (Medical Supplies) - \$5,000.00

*Authorizing the acceptance of Jesus The Great I Am Church Inc. funds of \$5,000.00 and the establishment of General Fund appropriations of \$5,000.00 and corresponding revenue budget to purchase three (3) AEDs with no matching funds required.*

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Resolution

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE ACCEPTANCE OF A \$5,000 DONATION FROM  
JESUS THE GREAT I AM CHURCH INC., ON BEHALF OF THE NATIONAL CITY  
FIRE DEPARTMENT FOR THE PURCHASE OF THREE AUTOMATIC EXTERNAL  
DEFIBRILLATORS, AND AUTHORIZING THE ESTABLISHMENT  
OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET

WHEREAS, on July 22, 2017, members of Jesus The Great I Am Church Inc., presented a \$5,000 check donation to the National City Fire Department; and

WHEREAS, the National City Fire Department desires to utilize the \$5,000 donation for the purchase of three (3) Automatic External Defibrillators (AEDs) for City facilities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby accepts a \$5,000 donation from Jesus The Great I Am Church Inc., on behalf of the National City Fire Department for the purchase of three (3) Automatic External Defibrillators (AEDs) for City facilities.

BE IT FURTHER RESOLVED that the City Council authorizes the establishment of appropriations and a corresponding revenue budget in the amount of \$5,000.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

ATTEST:

\_\_\_\_\_  
Ron Morrison, Mayor

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney



The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract to Dick Miller, Inc. in the not-to-exceed amount of \$939,939.93 for the Citywide Alley Improvements Project, CIP No. 16-11; 2) authorizing a 15% contingency in the amount

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City, 1) awarding a contract to Dick Miller, Inc. in the not-to-exceed amount of \$939,939.93 for the Citywide Alley Improvements Project, CIP No. 16-11; 2) authorizing a 15% contingency in the amount of \$140,990.99 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.

**PREPARED BY:** Jose Lopez, Assistant Engineer - Civil

**PHONE:** 619-336-4312

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:**



**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**APPROVED:** \_\_\_\_\_ MIS

**ACCOUNT NO.**

Contract Award (funds available through prior City Council appropriations)

001-409-500-598-6035: \$600,000.00

001-409-500-598-6573: \$339,939.93

15% Contingency (funds available through prior City Council appropriations)

001-409-500-598-6573: \$140,990.99

No additional appropriations required.

**ENVIRONMENTAL REVIEW:**

CEQA Notice of Categorical Exemption will be filed with County Recorder's Office prior to starting construction.

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt Resolution awarding a contract to Dick Miller, Inc. in the not-to-exceed amount of \$939,939.93 for the Citywide Alley Improvements Project, CIP No. 16-11.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation w/ Exhibit
2. Bid Opening Summary
3. Three Lowest Bidders Summary
4. Resolution

## **EXPLANATION**

The project includes reconstructing eight existing alleys subject to drainage issues with new concrete alleys, recompact / soil stabilization for two dirt alleys (see Locations 10 and 11 on the attached project location map), and installation of pedestrian curb ramps for American with Disabilities Act (ADA) compliance.

On August 2, 2017, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On August 3, 2017 and August 10, 2017, the bid solicitation was advertised in local newspapers.

On August 22, 2017, six (6) bids were received electronically on PlanetBids by the 11:00 a.m. deadline. Bid results were available immediately after the 11:00 a.m. deadline. Dick Miller, Inc. was the apparent lowest bidder with a total bid amount of \$939,939.93 as the basis of award. Upon review of all documents submitted, Dick Miller, Inc.'s bid was deemed responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications.

Therefore, staff recommends awarding a contract to Dick Miller, Inc. in the not-to-exceed amount of \$939,939.93.

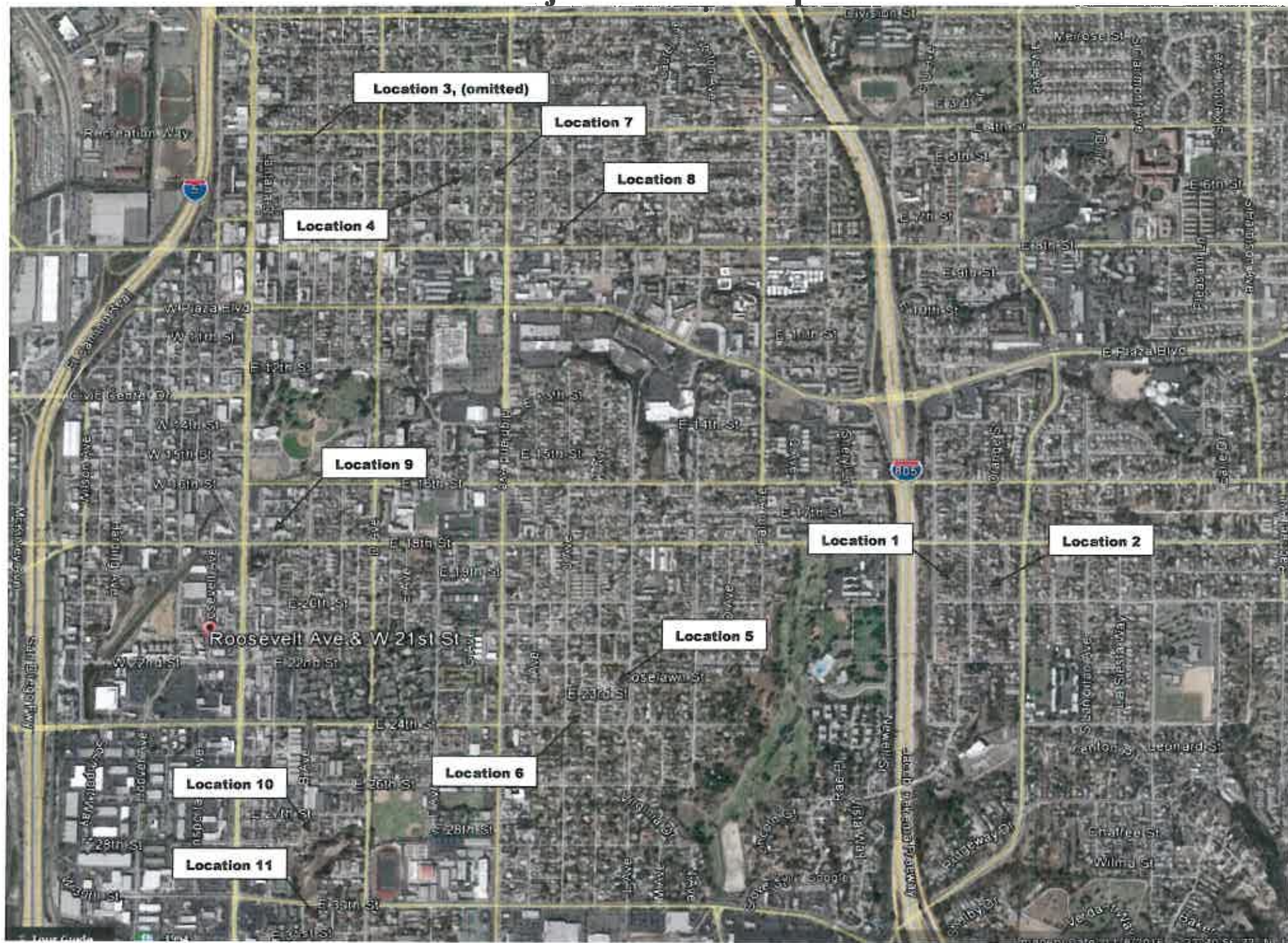
Staff also recommends authorizing a 15% contingency in the amount of \$140,990.99 to address any unforeseen conditions that may arise.

Attached are the bid opening summary sheet and a line item summary of the three lowest bidders for reference.

The contractor will determine construction phasing (i.e. which alleys are completed first, second, third, etc.) Construction is estimated to be completed in March 2018. Updates will be provided on the City's CIP website at: [nationalcityprojects.com](http://nationalcityprojects.com).



## Project Location Map





## Location 1: Alley east of Grove Street between E. 18<sup>th</sup> Street and E. 20<sup>th</sup> Street



- Alley serves as only point of access for multiple properties; garage access through alley
- Dirt alley; ponding/drainage issues

## Location 2: Alley east of Prospect Street between E. 18<sup>th</sup> Street and E. 20<sup>th</sup> Street



- Alley serves as only point of access for multiple properties; garage access through alley
- Ponding/drainage issues

### Location 3 (omitted): Alley north of E. 5<sup>th</sup> Street between A Avenue and B Avenue



- Garage access through alley
- Dirt alley; ponding/drainage issues
- Removed from project due to site constraints / high costs; will be considered as future CIP project

## Location 4: Alley east of F Avenue between E. 5<sup>th</sup> Street and E. 6<sup>th</sup> Street



- Garage access through alley
- Ponding/drainage issues



## Location 5: Alley north of E. 23<sup>rd</sup> Street between K Avenue and L Avenue



- Dirt alley; ponding/drainage issues

## Location 6: Alley north of E. 24th Street between J Avenue and K Avenue



- Garage access through alley
- Dirt alley; ponding/drainage issues

## Location 7: Alley east of G Avenue between E. 5<sup>th</sup> Street and E. 6<sup>th</sup> Street



- Alley serves as only point of access for multiple properties
- Ponding/drainage issues

## Location 8: Alley east of I Ave between E. 7<sup>th</sup> Street and E. 8<sup>th</sup> Street



- Alley serves as only point of access for multiple properties; garage access through alley
- Ponding/drainage issues

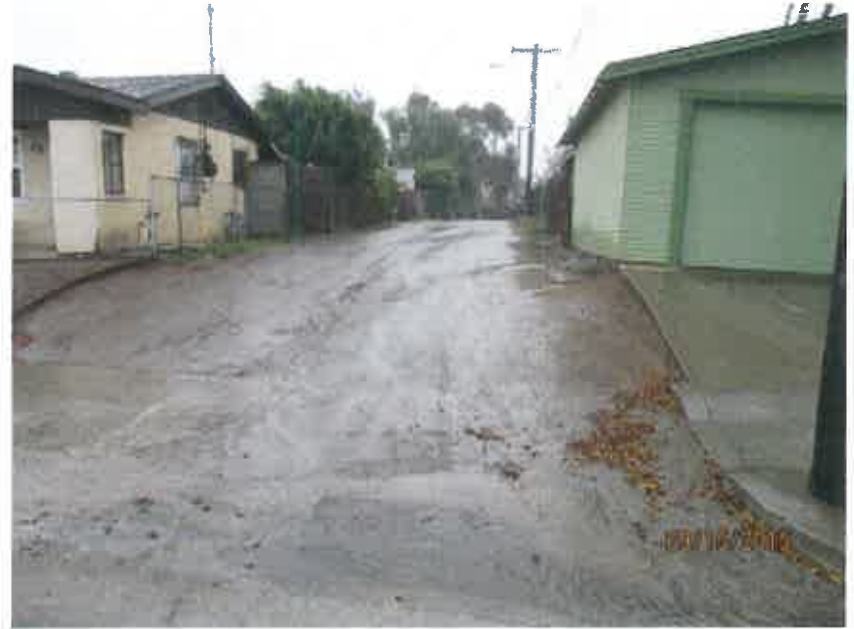


## Location 9: Alley east of National City Blvd between E. 17<sup>th</sup> Street and E. 18<sup>th</sup> Street



- Alley serves as only point of access for multiple properties; garage access through alley
- Ponding/drainage issues

## Location 10: Alley east of B Avenue and south of E. 27<sup>th</sup> Street



- Garage access through alley
- Dirt alley; ponding/drainage issues
- Project will provide recompacting / soil stabilization only

## Location 11: Alley east of B Avenue between E. 30<sup>th</sup> Street and E. 31<sup>st</sup> Street



- Garage access through alley
- Dirt alley; ponding/drainage issues
- Project will provide recompacting / soil stabilization only



## BID OPENING RESULTS

**NAME:** CITYWIDE ALLEY IMPROVEMENTS PROJECT  
**CIP NO:** 16-11  
**DATE:** Tuesday, August 22, 2017  
**TIME:** 11:00 A.M.  
**ESTIMATE:** \$1,000,000  
**PROJECT ENGINEER:** Kuna Muthusamy, P.E.

NO.	BIDDER'S NAME	BID AMOUNT*	ADDENDA	BID SECURITY - BOND
1.	Dick Miller, Inc. 930 Boardwalk Suite H San Marcos, CA 92078	\$939,939.93	N/A	Bond
2.	Crest Equipment, Inc. 161 Scottford Dr El Cajon, CA 92021	\$982,742.50	N/A	Bond
3.	Tri-Group Construction and Development, Inc. 9580 Black Mountain Rd. Suite L, San Diego, CA 92126	\$984,775.00	N/A	Bond
4.	Palm Engineering Construction Company, Inc. 7330 Opportunity Rd #J San Diego, CA 92111	\$992,350.00	N/A	Bond
5.	PAL General Engineering, Inc. 10675 Treena Street, Suite 103 San Diego, CA 92131	\$1,064,003.00	N/A	Bond
6.	C.S. Legacy Construction, Inc. 1461 S East End Ave Pomona, CA 91766	\$1,259,195.00	N/A	Bond

\*If an additive, alternate or additive/alternate bid items are called for in the Contract Documents, the sum of the base bid and all additive, alternate and additive/alternate bids, if any, shall be used to determine the lowest responsive bid.

\*\* Bids are being reviewed for responsiveness.



**Bid Results for Project Citywide Alley Improvements Project, CIP No. 16-11**

				Dick Miller Inc. Inc.		Crest Equipment, Inc.		Tri Group Construction	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
<b>Base Bid</b>									
1	Mobilization	LS	1	\$45,811.00	\$45,811.00	\$30,000.00	\$30,000.00	\$29,000.00	\$29,000.00
2	Water Quality Control	LS	1	\$8,900.00	\$8,900.00	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00
3	Traffic Control	LS	1	\$21,954.00	\$21,954.00	\$7,500.00	\$7,500.00	\$21,000.00	\$21,000.00
4	Clear and Grub	LS	1	\$48,703.93	\$48,703.93	\$19,750.00	\$19,750.00	\$80,000.00	\$80,000.00
5	Unclassified Excavation	LS	1	\$89,000.00	\$89,000.00	\$38,500.00	\$38,500.00	\$80,000.00	\$80,000.00
6	Remove and Re-Install Signs	EA	4	\$125.00	\$500.00	\$400.00	\$1,600.00	\$250.00	\$1,000.00
7	Construction Survey	LS	1	\$14,500.00	\$14,500.00	\$42,000.00	\$42,000.00	\$34,000.00	\$34,000.00
8	Construct 7.5" Concrete Pavement over 4" Base	SF	26,400	\$9.95	\$262,680.00	\$12.25	\$323,400.00	\$10.50	\$277,200.00
9	Construct 7.0" Concrete Pavement over 4" Base	SF	18,400	\$9.75	\$179,400.00	\$11.75	\$216,200.00	\$10.00	\$184,000.00
10	Construct 7.5" Concrete Alley Apron per SDRSD G-17	SF	1,490	\$12.50	\$18,625.00	\$10.25	\$15,272.50	\$10.50	\$15,645.00
11	Construct 7.0" Concrete Alley Apron per SDRSD G-17	SF	2,620	\$12.30	\$32,226.00	\$9.75	\$25,545.00	\$10.00	\$26,200.00
12	Construct Concrete Swale per SDRSD G-13	SF	2,140	\$5.50	\$11,770.00	\$15.00	\$32,100.00	\$10.50	\$22,470.00
13	Construct Rip Rap per SDRSD D-40	LS	1	\$3,900.00	\$3,900.00	\$4,500.00	\$4,500.00	\$4,000.00	\$4,000.00

				Dick Miller Inc. Inc.		Crest Equipment, Inc.		Tri Group Construction	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
14	Construct Alley Cutoff Wall per SDRSD G-23	LS	1	\$2,350.00	\$2,350.00	\$4,800.00	\$4,800.00	\$6,000.00	\$6,000.00
15	Grind and Overlay	SF	1,900	\$6.75	\$12,825.00	\$7.00	\$13,300.00	\$7.50	\$14,250.00
16	Construct and Recompact Soil with Binder	SF	9,530	\$4.50	\$42,885.00	\$1.50	\$14,295.00	\$4.50	\$42,885.00
17	Construct Retaining Curb	LF	105	\$59.00	\$6,195.00	\$95.00	\$9,975.00	\$55.00	\$5,775.00
18	Construct Curb Ramp Type D per SDRSD G-31	EA	23	\$3,350.00	\$77,050.00	\$3,675.00	\$84,525.00	\$2,500.00	\$57,500.00
19	Construct 6" Curb per SDRSD G-1	LF	190	\$34.00	\$6,460.00	\$39.00	\$7,410.00	\$30.00	\$5,700.00
20	Construct Rolled Curb	LF	45	\$49.00	\$2,205.00	\$46.00	\$2,070.00	\$70.00	\$3,150.00
21	Filterra Unit	EA	2	\$21,000.00	\$42,000.00	\$35,000.00	\$70,000.00	\$25,500.00	\$51,000.00
22	Field Orders	LS	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
				<b>Grand Total</b>	<b>\$939,939.93</b>		<b>\$982,742.50</b>		<b>\$984,775.00</b>



RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AWARDING A CONTRACT TO DICK MILLER, INC. IN THE NOT-TO-EXCEED  
AMOUNT OF \$939,939.93 FOR THE CITYWIDE ALLEY IMPROVEMENTS  
PROJECT (CIP NO. 16-11), AUTHORIZING A 15% CONTINGENCY IN  
THE AMOUNT OF \$140,990.99 FOR ANY UNFORESEEN CHANGES,  
AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

WHEREAS, the Citywide Alley Improvements Project (the "Project") includes reconstructing eight existing alleys subject to drainage issues with new concrete alleys, recompacting/soil stabilization for two dirt alleys, and installation of pedestrian curb ramps for American with Disabilities Act ("ADA") compliance.

WHEREAS, on August 22, 2017, the Engineering Department, publicly opened, examined, and declared six (6) sealed bids for the Project; and

WHEREAS, Dick Miller, Inc., was the lowest responsive bidder qualified to perform the work as described in the project specifications with a total bid amount of \$939,939.93; and

WHEREAS, a 15% contingency amount up to \$140,990.99 for any unforeseen changes to the Project is requested.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby awards the contract for the Citywide Alley Improvements Project to the lowest responsive, responsible bidder, to wit:

DICK MILLER, INC.

BE IT FURTHER RESOLVED by the City Council that the Mayor is hereby authorized to execute on behalf of the City a contract in the not to exceed amount of \$939,939.93 with Dick Miller, Inc., for the Citywide Alley Improvements Project. Said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council hereby authorizes a 15% contingency amount up to \$140,990.99 for any unforeseen changes to the Project.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract to Eagle Paving Company, Inc. in the not-to-exceed amount of \$1,158,297.70 for the Citywide Pedestrian Midblock Crossing Enhancements Project, CIP No. 17-05; 2) authorizin



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City, 1) awarding a contract to Eagle Paving Company, Inc. in the not-to-exceed amount of \$1,158,297.70 for the Citywide Pedestrian Midblock Crossing Enhancements Project, CIP No. 17-05; 2) authorizing a 15% contingency in the amount of \$173,744.66 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.

**PREPARED BY:** Jose Lopez, Assistant Engineer - Civil

**PHONE:** 619-336-4312

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Contract Award (funds available through prior City Council appropriations)

296-409-500-598-6583: \$625,230.00

296-409-500-598-6581: \$500,000

001-409-500-598-6573: \$33,067.70

15% Contingency (funds available through prior City Council appropriations)

001-409-500-598-6573: \$173,744.66

No additional appropriations required.

**APPROVED:** \_\_\_\_\_



Finance

**APPROVED:** \_\_\_\_\_

MIS

**ENVIRONMENTAL REVIEW:**

Caltrans Determination of Categorical Exclusion under 23 CFR 771.117(c): activity (c)(27), approved May 8, 2017

**ORDINANCE:** ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt Resolution awarding a contract to Eagle Paving Company, Inc. in the not-to-exceed amount of \$1,158,297.70 for the Citywide Pedestrian Midblock Crossing Enhancements Project, CIP No. 17-05.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation w/ Exhibits
2. Bid Opening Summary
3. Three Lowest Bidders Summary
4. Resolution

## **EXPLANATION**

This project includes the following safety enhancements (see attached Project Location Map):

- 1) Replace existing safety light fixtures with new LED fixtures at 30 signalized intersections Citywide;
- 2) Install pedestrian level LED street lights at 16 midblock crosswalks; and
- 3) Implement pedestrian safety enhancements such as Americans with Disabilities Act (ADA) curb ramps, corner bulb-outs, sidewalks, and solar powered flashing crosswalk signs at 6 midblock crosswalks.

On July 27, 2017, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On July 28, 2017 and August 3, 2017, the bid solicitation was advertised in local newspapers.

On August 21, 2017, four (4) bids were received by the 1:00 p.m. deadline, opened and publicly disclosed. Bid results were made available the next business day, August 22, 2017. Eagle Paving Company, Inc. was the apparent lowest bidder with a total bid amount of \$1,158,297.70 as the basis of award. Upon review of all documents submitted, Eagle Paving Company, Inc.'s bid was deemed responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications.

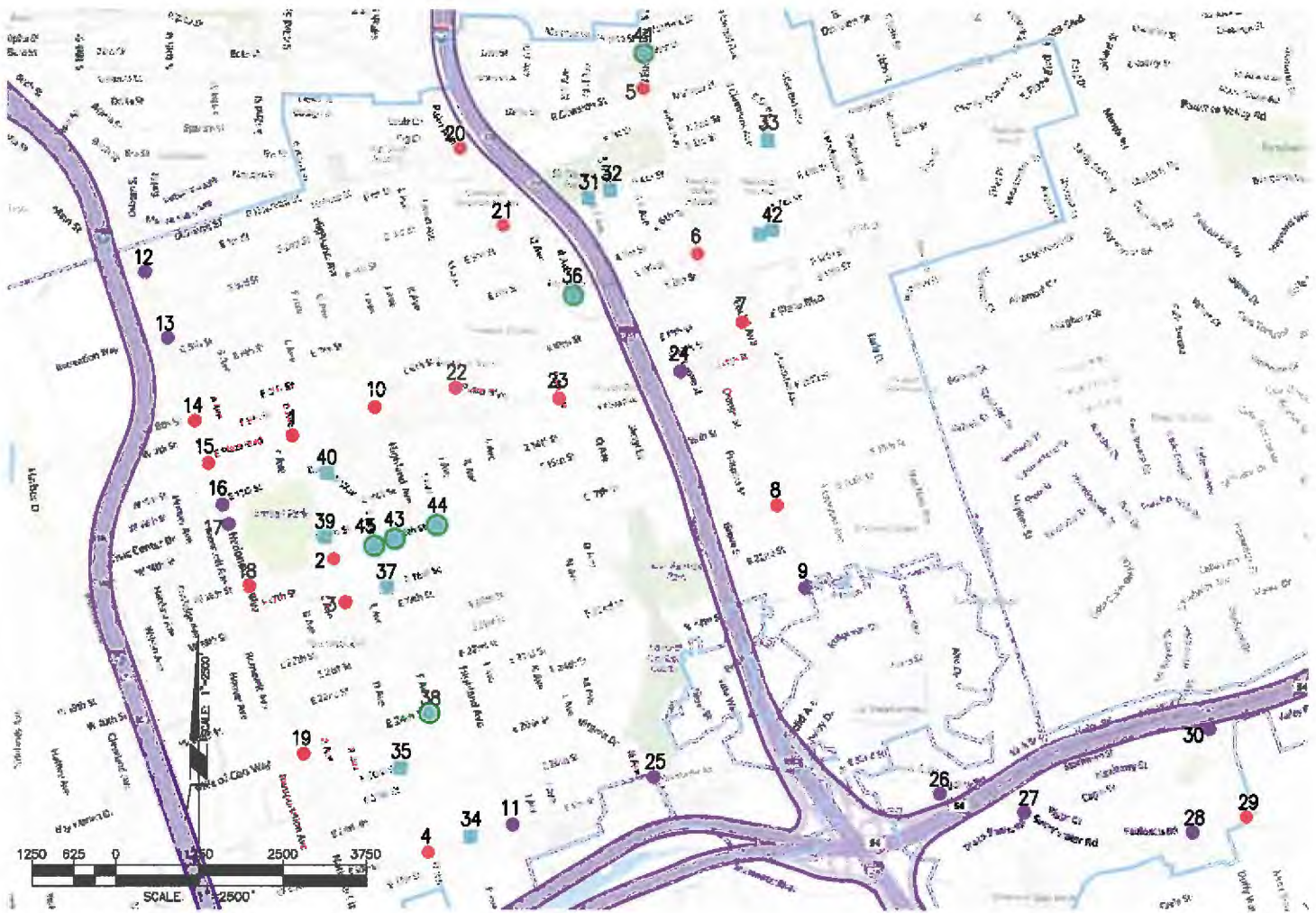
Therefore, staff recommends awarding a contract to Eagle Paving Company, Inc. in the not-to-exceed amount of \$1,158,297.70.

Staff also recommends authorizing a 15% contingency in the amount of \$173,744.66 to address any unforeseen conditions that may arise.

Attached are the bid opening summary sheet and a line item summary of the three lowest bidders for reference.

Construction is estimated to be completed in March 2018.





### LEGEND

- SIGNALIZED LOCATION (CM:S2)
- MIDBLOCK LOCATION (CM:R38)
- PROPOSED POPOUTS (CM:R38)
- CITY BOUNDARY
- CALTRANS RIGHT OF WAY

\*NOTE: ALL PROPOSED WORK IS WITHIN CITY RIGHT OF WAY

Int. #	Signalized Intersection
1	D Ave & Plaza Blvd
2	D Ave & 16th St
3	D Ave & 18th St
4	D Ave & 20th St
5	Euclid Ave & Division St
6	Euclid Ave & 8th St
7	Euclid Ave & Plaza Blvd
8	Euclid Ave & 23th St
9	Euclid Ave & 24th St
10	Highland Ave & Plaza Blvd
11	Highland Ave & 30th St
12	National City Blvd & 1st St
13	National City Blvd & 4th St
14	National City Blvd & 8th St
15	National City Blvd & Plaza Blvd

Int. #	Midblock Crossing
31	4th & T Ave
32	4th & U Ave
33	4th & S. Drexel Ave
34	30th & F Ave
35	D Ave & 26th St
36	8th & R Ave
37	18th & F Ave

Int. #	Signalized Intersection
16	National City Blvd & 12th St
17	National City Blvd & Civic Center Dr
18	National City Blvd & 16th St
19	National City Blvd & Mile of Cars Wy
20	Palm Ave & Division Rd
21	Palm Ave & 4th St
22	Plaza Blvd & L Ave
23	Plaza Blvd & Palm Ave
24	Plaza Blvd & Grove St
25	Sweetwater Rd & Valley Rd
26	Sweetwater Rd & Plaza Bonita Rd/Stockman St
27	Sweetwater Rd & Calmoor St
28	Sweetwater Rd & Plaza Bonita Centerway
29	Plaza Bonita Centerway & Valley Rd

Int. #	Midblock Crossing
38	24th & F Ave
39	D Ave & 15th St
40	Kimball Way & E Ave
41	Euclid Ave & Beta St
42	8th & Burden Dr (2)
43	16th & G Ave
44	18th & I Ave
45	16th & F Ave

### PROPOSED LED SAFETY LIGHTING:



TYPICAL AT SIGNALIZED LOCATIONS

### PROPOSED MIDBLOCK CONFIGURATIONS:



PROPOSED LED STREET LIGHTING  
PROPOSED CURB POPOUTS AT SIX LOCATIONS

## PROPOSED CONDITIONS

CITY OF NATIONAL CITY  
COUNTERMEASURES: S2 AND R38  
2015 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

## ATTACHMENT

3-2





## BID OPENING RESULTS

**NAME:** CITYWIDE PEDESTRIAN MIDBLOCK CROSSING  
**ENHANCEMENTS**  
**CIP NO:** 17-05  
**DATE:** Monday, August 21, 2017  
**TIME:** 1:00 P.M.  
**ESTIMATE:** \$950,000  
**PROJECT ENGINEER:** Kuna Muthusamy, P.E.

NO.	BIDDER'S NAME	BID AMOUNT*	ADDENDA #1	BID SECURITY - BOND
1.	Eagle Paving Company, Inc. 13915 Danielson St. #201 Poway, CA 92064	\$1,158,297.70**	Yes	Bond
2.	Palm Engineering Construction Company, Inc. 7330 Opportunity Rd #J San Diego, CA 92111	\$1,386,070.00	Yes	Bond
3.	PAL General Engineering, Inc. 10675 Trenea Street, Suite 103 San Diego, CA 92131	\$1,423,944.00	Yes	Bond
4.	Tri-Group Construction and Development, Inc. 9580 Black Mountain Rd. Suite L, San Diego, CA 92126	\$1,520,830.00	Yes	Bond

\*If an additive, alternate or additive/alternate bid items are called for in the Contract Documents, the sum of the base bid and all additive, alternate and additive/alternate bids, if any, shall be used to determine the lowest responsive bid.

\*\*Final bid amount changed based on review of "Quantity x Unit Price" for individual line items of work.



**Bid Results for Citywide Pedestrian Midblock Crossing Enhancements, CIP No. 17-05**

				Eagle Paving Company, Inc.		Palm Engineering Construction Company, Inc.		PAL General Engineering, Inc	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
Base Bid - General									
1	Mobilization / Demobilization	LS	1	\$15,000.00	\$15,000.00	\$50,000.00	\$50,000.00	\$10,000.00	\$10,000.00
2	Clearing and Grubbing	LS	1	\$34,000.00	\$34,000.00	\$50,000.00	\$50,000.00	\$112,560.00	\$112,560.00
3	Traffic Control	LS	1	\$46,000.00	\$46,000.00	\$40,000.00	\$40,000.00	\$85,000.00	\$85,000.00
4	Water Pollution Control	LS	1	\$3,000.00	\$3,000.00	\$10,000.00	\$10,000.00	\$4,600.00	\$4,600.00
5	Construction Staking Surveying	LS	1	\$11,150.00	\$11,150.00	\$15,000.00	\$15,000.00	\$11,150.00	\$11,150.00
6	Unclassified Excavation	LS	1	\$5,000.00	\$5,000.00	\$120,000.00	\$120,000.00	\$62,877.00	\$62,877.00
7	Unsuitable Material	CY	200	\$25.00	\$5,000.00	\$80.00	\$16,000.00	\$95.00	\$19,000.00
8	Sawcut	LF	710	\$3.00	\$2,130.00	\$3.00	\$2,130.00	\$5.00	\$3,550.00
9	Construct 6" Type G-2 Curb per SDRSD G-1	LF	220	\$27.37	\$6,021.40	\$35.00	\$7,700.00	\$22.00	\$4,840.00
10	Construct 6" Type G-2 Curb & Gutter per SDRSD G-2	LF	450	\$37.92	\$17,064.00	\$35.00	\$15,750.00	\$35.00	\$15,750.00
11	Construct 6" Type B-3 Median Curb per SDRSD G-8 on Existing Asphalt	LF	310	\$19.16	\$5,939.60	\$30.00	\$9,300.00	\$40.00	\$12,400.00
12	Construct 6" PCC Pavement Over Existing Asphalt	SF	1400	\$8.81	\$12,334.00	\$10.00	\$14,000.00	\$10.00	\$14,000.00
13	Hot Mix Asphalt	TON	580	\$135.00	\$78,300.00	\$150.00	\$87,000.00	\$125.00	\$72,500.00
14	Class 2 Aggregate Base	TON	1720	\$29.00	\$49,880.00	\$50.00	\$86,000.00	\$40.00	\$68,800.00
15	Construct 4" PCC Sidewalk per SDRSD G-7 and G-9	SF	6320	\$6.86	\$43,355.20	\$7.00	\$44,240.00	\$7.00	\$44,240.00
16	Construct Curb Ramp per G-31 with Yellow Truncated Domes per SDRSD G-30	EA	21	\$1,071.00	\$22,491.00	\$4,200.00	\$88,200.00	\$3,150.00	\$66,150.00
17	Construct PCC Driveway per SDRSD G-14	SF	70	\$9.50	\$665.00	\$15.00	\$1,050.00	\$35.00	\$2,450.00
18	Construct PPC Cross Gutter	SF	550	\$9.40	\$5,170.00	\$15.00	\$8,250.00	\$11.00	\$6,050.00
19	Furnish and Install Curb Channel	LF	320	\$68.10	\$21,792.00	\$300.00	\$96,000.00	\$85.00	\$27,200.00
20	Furnish and Install Yellow Truncated Domes per SDRSD G-30	EA	4	\$488.00	\$1,952.00	\$600.00	\$2,400.00	\$1,500.00	\$6,000.00



**Bid Results for Citywide Pedestrian Midblock Crossing Enhancements, CIP No. 17-05**

Item No.	Description	Unit	Qty.	Eagle Paving Company, Inc.		Palm Engineering Construction Company, Inc.		PAL General Engineering, Inc	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
21	Furnish and Install 6' Vehicle Detector Loop per Caltrans Standard Plan ES-5B	EA	1	\$990.00	\$990.00	\$2,000.00	\$2,000.00	\$1,035.00	\$1,035.00
22	Furnish and Install 2" PVC Conduit	LF	2200	\$37.95	\$83,490.00	\$35.00	\$77,000.00	\$38.00	\$83,600.00
23	Furnish and Install 2#8 Conductors and 1#8 Ground	LF	2200	\$2.53	\$5,566.00	\$2.00	\$4,400.00	\$2.65	\$5,830.00
24	Furnish and Install #5 Pull Box	EA	58	\$287.50	\$16,675.00	\$400.00	\$23,200.00	\$288.00	\$16,704.00
25	Furnish and Install Street Light Standard with Foundation Complete. Include 2#10 Conductors and 1#10 Ground per City Standards	EA	26	\$7,700.00	\$200,200.00	\$7,000.00	\$182,000.00	\$8,050.00	\$209,300.00
26	Furnish and Install Type 15 Pole with 15' Luminaire Mast Arm and Foundation Complete. Include 2#10 Conductors and 1#10 Ground per City Standards	EA	1	\$8,140.00	\$8,140.00	\$8,000.00	\$8,000.00	\$8,510.00	\$8,510.00
27	Furnish and Install Solar Flashing Crosswalk Unit wih Pole and Foundation Complete	EA	6	\$18,700.00	\$112,200.00	\$15,000.00	\$90,000.00	\$19,550.00	\$117,300.00
28	Coordinate with SDG&E for Service Point Requirements and Install as Required	EA	17	\$935.00	\$15,895.00	\$1,200.00	\$20,400.00	\$978.00	\$16,626.00
29	Signing and Striping	LS	1	\$113,725.00	\$113,725.00	\$86,000.00	\$86,000.00	\$118,895.00	\$118,895.00
30	Slurry Seal	SF	65000	\$0.63	\$40,950.00	\$0.75	\$48,750.00	\$0.35	\$22,750.00
31	Remove and Salvage Existing Safety Light Fixture. Furnish and Install New LED Safety Light Fixture	EA	109	\$1,552.50	\$169,222.50	\$700.00	\$76,300.00	\$1,553.00	\$169,277.00
32	Field Orders	AL	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
<b>Grand Total</b>					<b>\$1,158,297.70</b>		<b>\$1,386,070.00</b>		<b>\$1,423,944.00</b>

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AWARDING A CONTRACT TO EAGLE PAVING COMPANY, INC.,  
IN THE NOT-TO-EXCEED AMOUNT OF \$1,158,297.70 FOR  
THE CITYWIDE PEDESTRIAN MIDBLOCK CROSSING ENHANCEMENTS  
PROJECT (CIP NO. 17-05), AUTHORIZING A 15% CONTINGENCY  
IN THE AMOUNT OF \$173,744.66 FOR ANY UNFORESEEN CHANGES,  
AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

WHEREAS, the Citywide Pedestrian Midblock Crossing Enhancements Project (the "Project"), includes the following safety enhancements:

1. Replacement of existing safety light fixtures with new LED fixtures at 30 signalized intersections Citywide;
2. Installation of pedestrian level LED street lights at 16 midblock crosswalks;
3. Implementation of pedestrian safety enhancements such as Americans with Disabilities Act (ADA) curb ramps, corner bulb-outs, sidewalks, and solar powered flashing crosswalk signs at 6 midblock crosswalks; and

WHEREAS, on August 21, 2017, the Engineering Department, publicly opened, examined, and declared four (4) sealed bids for the Project; and

WHEREAS, Eagle Paving Company, Inc., was the lowest responsive bidder qualified to perform the work as described in the project specifications with a total bid amount of \$1,158,297.70; and

WHEREAS, a 15% contingency amount up to \$173,744.66 for any unforeseen changes to the Project is requested.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby awards the contract for the Citywide Pedestrian Midblock Crossing Enhancements Project to the lowest responsive, responsible bidder, to wit:

EAGLE PAVING COMPANY, INC.

BE IT FURTHER RESOLVED by the City Council that the Mayor is hereby authorized to execute on behalf of the City a contract in the not to exceed amount of \$1,158,297.70 with Eagle Paving Company, Inc., for the Citywide Pedestrian Midblock Crossing Enhancements Project. Said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council hereby authorizes a 15% contingency amount up to \$173,744.66 for any unforeseen changes to the Project.

*[Signature Page to Follow]*

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney



The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Harris & Associates, Inc. retroactively extending the term of the Agreement to May 18, 2018, to provide on-call project su

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Harris & Associates, Inc. extending the term of the Agreement to May 18, 2018, to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, sewer system and storm drain analysis and design, construction support, engineering plan reviews and tentative map reviews.

**PREPARED BY:** Stephen Manganiello

**PHONE:** 619-336-4382

**DEPARTMENT:** Engineering & Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Funds are appropriated in various CIP accounts for FY 2018 and will be encumbered on an as-needed basis. No additional appropriations required.

**APPROVED:**  Finance

**APPROVED:** \_\_\_\_\_ MIS

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt resolution authorizing the Mayor to execute a First Amendment to the Agreement with Harris & Associates, Inc. extending the term of the Agreement to May 18, 2018.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. First Amendment to Agreement
3. Resolution

**Explanation:**

On May 19, 2015, per City Council Resolution No. 2015-73, the City of National City entered into an Agreement with Harris & Associates, Inc. to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, sewer system and storm drain analysis and design, construction support, engineering plan reviews and tentative map reviews. The Agreement is for a not-to-exceed amount of \$900,000 and a term of two years, with the option to extend for an additional period of up to one year.

Both parties desire to execute the option to extend the term of the Agreement to May 18, 2018, to allow Harris & Associates to continue providing CIP support services (see attached First Amendment to Agreement).

Funds are appropriated in various CIP accounts for FY 2018 and will be encumbered on an as-needed basis.

**FIRST AMENDMENT TO AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
HARRIS & ASSOCIATES, INC.**

This First Amendment to Agreement is entered into this 5th day of September, 2017 by and between the City of National City, a municipal corporation ("CITY"), and Harris & Associates, Inc., a corporation (the "CONSULTANT").

**RECITALS**

WHEREAS, The CITY and the CONSULTANT entered into an Agreement on May 19, 2015, (the "Agreement") through the adoption of City of National City Council Resolution No. 2015-73, wherein the CONSULTANT agreed to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, sewer system and storm drain analysis and design, construction support, engineering plan reviews, and tentative map reviews.

WHEREAS, the original Agreement had a not-to-exceed amount of \$900,000 and a term of two years, with the option to extend for an additional period of up to one year; and

WHEREAS, to continue timely completion of Capital Improvement Projects, the parties desire to retroactively extend the term of the Agreement, effective as of May 19, 2017 to May 18, 2018.

**AGREEMENT**

NOW, THEREFORE, the parties agree to amend the Agreement entered into on May 19, 2015, as follows:

1. Extend the term of the Agreement to May 18, 2018.
2. The parties further agree that with the foregoing exception, each and every term and provision of the Agreement dated May 19, 2015, shall remain in full force and effect.

*< Signatures on next page >*




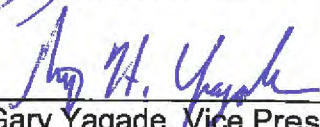
IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement on the date and year first above written.

**CITY OF NATIONAL CITY**

**HARRIS & ASSOCIATES, INC.**

By: \_\_\_\_\_  
Ron Morrison, Mayor

By: \_\_\_\_\_  
Ehab Gerges, Senior Vice President

By: \_\_\_\_\_  
Gary Yagade, Vice President

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By: \_\_\_\_\_  
Roberto M. Contreras  
Deputy City Attorney

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO  
THE AGREEMENT WITH HARRIS & ASSOCIATES, INC., RETROACTIVELY  
EXTENDING THE TERM OF THE AGREEMENT TO MAY 18, 2018,  
TO PROVIDE ON-CALL PROJECT SUPPORT SERVICES FOR  
NATIONAL CITY'S CAPITAL IMPROVEMENT PROGRAM, INCLUDING,  
BUT NOT LIMITED TO, SEWER SYSTEM AND STORM DRAIN  
ANALYSIS AND DESIGN, CONSTRUCTION SUPPORT,  
ENGINEERING PLAN REVIEWS, AND TENTATIVE MAP REVIEWS

WHEREAS, the City of National City and Harris & Associates, Inc. ("Harris") entered into an Agreement on May 19, 2015 (the "Agreement") through the adoption of Resolution No. 2015-73, wherein Harris agreed to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, sewer system and storm drain analysis and design, construction support, engineering plan reviews, and tentative map reviews; and

WHEREAS, the original Agreement had a not-to-exceed amount of \$900,000 and a term of two years, with the option to extend for an additional period of up to one year; and

WHEREAS, to continue timely completion of Capital Improvement Projects, the parties desire to retroactively extend the term of the Agreement, effective as of May 19, 2017 to May 18, 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the Mayor to execute a First Amendment to the Agreement with Harris & Associates, Inc., to retroactively extend the term of the Agreement to May 18, 2018, to provide on-call project support services for National City's Capital Improvement Program, including, but not limited to, sewer system and storm drain analysis and design, construction support, engineering plan reviews, and tentative map reviews. Said Amendment is on file in the Office of the City Clerk.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City ratifying the execution of an Agreement by and between the City of National City and Accelerated Modular Concepts Incorporated in the amount of \$112,846.28 for the delivery and set up of a modula

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City ratifying the execution of an Agreement by and between the City of National City and Accelerated Modular Concepts Incorporated in the amount of \$112,846.28 for the delivery and set up of a modular building to be used by the National City Fire Department as part of the Squad Pilot Program at El Toyon Park.

**PREPARED BY:** Ray Roberson, Management Analyst II

**PHONE:** 619-336-4583

**DEPARTMENT:** Engineering and Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Appropriations were authorized by City Council on March 21, 2017, per Resolution No. 2017-32

**APPROVED:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**FINANCE**

**MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt Resolution ratifying execution of an Agreement by and between the City of National City and Accelerated Modular Concepts Incorporated in the amount of \$112,846.28 for the delivery and set up of a modular building to be used by the National City Fire Department as part of the Squad Pilot Program at El Toyon Park.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Explanation
2. Agreement
3. Resolution



### Explanation

On March 21, 2017, per City Council Resolution No. 2017-32, the City Council authorized, 1) the establishment of an appropriation in the amount of \$318,751 from the General Fund Fund Balance toward the development and issuance of all necessary bid documents, including, but not limited to, site preparation and a 12-month lease of a modular building; and 2) the establishment of an appropriation in the amount of \$45,000 from the Police Department Development Impact Fee Fund to offset the costs of the covered parking structure as part of the Squad Pilot Program at El Toyon Park, resulting in a total project cost of \$363,751. A detailed estimate of project costs was provided.

After researching various modular building companies and evaluating whether the companies met the building needs for the Squad Pilot Program, Fire Department staff recommended executing an Agreement with Accelerated Modular Concepts Incorporated (Contractor). An Agreement was drafted by staff and reviewed by the City Attorney's Office for form and content.

The scope of work under the Agreement requires the Contractor to deliver, setup and tie down the modular building, provide skirting and a handicap ramp, and make final electrical and plumbing connections. The modular building shall be equipped to use propane and include an emergency generator for backup power. The Contractor shall also construct a covered vehicle parking structure 32' long x 30' wide x 13' high.

In order to expedite project completion, the Agreement was executed by the Contractor and Mayor, effective June 1, 2017, in an amount not to exceed \$112,846.28. The project is scheduled for completion in September 2017. Staff is requesting City Council ratification of the Agreement.

**AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
ACCELERATED MODULAR CONCEPTS INCORPORATED**

THIS AGREEMENT is entered into on this 1<sup>st</sup> day of June, 2017, by and between the CITY OF NATIONAL CITY, a municipal corporation (the "CITY"), and ACCELERATED MODULAR CONCEPTS INCORPORATED, (the CORPORATION).

**RECITALS**

WHEREAS, the CITY desires to employ ACCELERATED MODULAR CONCEPTS INCORPORATED to deliver, setup, tie down and provide skirting on modular building to be used as a temporary facility by the National City Fire Department. Contractor shall make all final electrical and plumbing connections, provide a handicap ramp, and connect backup power emergency generator to modular building Contractor shall also provide 32' long x 30' x 13' high covered vehicle parking structure.

WHEREAS, the CITY has determined that the CONTRACTOR is an expert in the transportation and set up of modular buildings and is qualified by experience and ability to perform the services desired by the CITY, and the CONTRACTOR is willing to perform such services.

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

1. **ENGAGEMENT OF CONTRACTOR.** The CITY agrees to engage the CONTRACTOR to deliver and set up modular building to 2005 E. 4<sup>th</sup> Street, National City and the CONTRACTOR agrees to perform the services set forth here in accordance with all terms and conditions contained herein.

The CONTRACTOR represents that all services shall be performed directly by the CONTRACTOR or under direct supervision of the CONTRACTOR.

2. **EFFECTIVE DATE AND LENGTH OF AGREEMENT.** This Agreement will become effective on June 1<sup>st</sup>, 2017. The duration of this Agreement is for the period of June 1<sup>st</sup>, 2017 through November 30<sup>th</sup>, 2017. Completion dates or time durations for specific portions of the project are set forth in the PROPOSAL FOR NATIONAL CITY FIRE DEPARTMENT. This Agreement may be extended by mutual agreement upon the same terms and conditions for an additional one (1) year term. The Parties may exercise up to three one-year extensions. Any extension of this Agreement must be approved in writing by the City Manager.

3. **SCOPE OF SERVICES.** CONTRACTOR will deliver, setup, tie down, provide skirting and a handicap ramp, and make final utility connections for electrical and plumbing. Modular building shall be equipped to use propane, Emergency back up power generator to modular building shall be connected CONTRACTOR shall also construct a covered vehicle



parking structure 32'wide x 30'long x 13' high. CONTRATOR shall provide services as outlined in Exhibit "A" (**PROPOSAL FOR NATIONAL CITY FIRE DEPARTMENT**).

The CONTRACTOR shall be responsible for all research and reviews related to the work and shall not rely on personnel of the CITY for such services, except as authorized in advance by the CITY. The CONTRACTOR shall appear at meetings specified in PROPOSAL FOR NATIONAL CITY FIRE DEPARTMENT to keep staff and City Council advised of the progress on the project.

The CITY may unilaterally, or upon request from the CONTRACTOR, from time to time reduce or increase the Scope of Services to be performed by the CONTRACTOR under this Agreement. Upon doing so, the CITY and the CONTRACTOR agree to meet in good faith and confer for the purpose of negotiating a corresponding reduction or increase in the compensation associated with said change in services.

4. **PROJECT COORDINATION AND SUPERVISION.** FRANK PARRA hereby is designated as the Project Coordinator for the CITY and will monitor the progress and execution of this Agreement. The CONTRACTOR shall assign a single Project Director to provide supervision and have overall responsibility for the progress and execution of this Agreement for the CONTRACTOR. DERRICK ANDERSON thereby is designated as the Project Director for the CONTRACTOR.

5. **COMPENSATION AND PAYMENT.** The compensation for the CONTRACTOR shall be based on a one time cost covering actual work performed. Billings shall include labor classifications, respective rates, hours worked and also materials, if any. The total cost for all work described in Exhibit "A". PRICE SHEET PROPOSAL FOR NATIONAL CITY FIRE DEPARTMENT shall not exceed \$112,846.28.00. The compensation for the CONTRACTOR'S work shall not exceed the upfront fees set forth in PROPOSAL FOR NATIONAL CITY FIRE DEPARTMENT.

The CONTRACTOR shall maintain all books, documents, papers, employee time sheets, accounting records, and other evidence pertaining to costs incurred, and shall make such materials available at its office at all reasonable times during the term of this Agreement and for three (3) years from the date of final payment under this Agreement, for inspection by the CITY, and for furnishing of copies to the CITY, if requested.

6. **ACCEPTABILITY OF WORK.** The CITY shall decide any and all questions which may arise as to the quality or acceptability of the services performed and the manner of performance, the acceptable completion of this Agreement, and the amount of compensation due. In the event the CONTRACTOR and the CITY cannot agree to the quality or acceptability of the work, the manner of performance and/or the compensation payable to the CONTRACTOR in this Agreement, the CITY or the CONTRACTOR shall give to the other written notice. Within ten (10) business days, the CONTRACTOR and the CITY shall each prepare a report which supports their position and file the same with the other party. The CITY shall, with reasonable diligence, determine the quality or acceptability of the work, the manner of performance and/or the compensation payable to the CONTRACTOR.

7. **DISPOSITION AND OWNERSHIP OF DOCUMENTS.** The Memoranda, Reports, Maps, Drawings, Plans, Specifications, and other documents prepared by the CONTRACTOR for this project, whether paper or electronic, shall become the property of the



CITY for use with respect to this project, and shall be turned over to the CITY upon completion of the project, or any phase thereof, as contemplated by this Agreement.

Contemporaneously with the transfer of documents, the CONTRACTOR hereby assigns to the CITY, and CONTRACTOR thereby expressly waives and disclaims any copyright in, and the right to reproduce, all written material, drawings, plans, specifications, or other work prepared under this Agreement, except upon the CITY'S prior authorization regarding reproduction, which authorization shall not be unreasonably withheld. The CONTRACTOR shall, upon request of the CITY, execute any further document(s) necessary to further effectuate this waiver and disclaimer.

The CONTRACTOR agrees that the CITY may use, reuse, alter, reproduce, modify, assign, transfer, or in any other way, medium, or method utilize the CONTRACTOR'S written work product for the CITY'S purposes, and the CONTRACTOR expressly waives and disclaims any residual rights granted to it by Civil Code Sections 980 through 989 relating to intellectual property and artistic works.

Any modification or reuse by the CITY of documents, drawings, or specifications prepared by the CONTRACTOR shall relieve the CONTRACTOR from liability under Section 14, but only with respect to the effect of the modification or reuse by the CITY, or for any liability to the CITY should the documents be used by the CITY for some project other than what was expressly agreed upon within the Scope of Services of this project, unless otherwise mutually agreed.

8. **INDEPENDENT CONTRACTOR.** Both parties hereto in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint ventures with one another. Neither the CONTRACTOR nor the CONTRACTOR'S employees are employees of the CITY, and are not entitled to any of the rights, benefits, or privileges of the CITY'S employees, including but not limited to retirement, medical, unemployment, or workers' compensation insurance.

This Agreement contemplates the personal services of the CONTRACTOR and the CONTRACTOR'S employees, and it is recognized by the parties that a substantial inducement to the CITY for entering into this Agreement was, and is, the professional reputation and competence of the CONTRACTOR and its employees. Neither this Agreement nor any interest herein may be assigned by the CONTRACTOR without the prior written consent of the CITY. Nothing herein contained is intended to prevent the CONTRACTOR from employing or hiring as many employees, or SUBCONTRACTORS, as the CONTRACTOR may deem necessary for the proper and efficient performance of this Agreement. All agreements by CONTRACTOR with its SUBCONTRACTOR(S) shall require the SUBCONTRACTOR(S) to adhere to the applicable terms of this Agreement.

9. **CONTROL.** Neither the CITY nor its officers, agents, or employees shall have any control over the conduct of the CONTRACTOR or any of the CONTRACTOR'S employees, except as herein set forth, and the CONTRACTOR or the CONTRACTOR'S agents, servants, or employees are not in any manner agents, servants, or employees of the CITY, it being understood that the CONTRACTOR its agents, servants, and employees are as to the CITY wholly independent CONTRACTOR, and that the CONTRACTOR'S obligations to the CITY are solely such as are prescribed by this Agreement.



10. **COMPLIANCE WITH APPLICABLE LAW.** The CONTRACTOR, in the performance of the services to be provided herein, shall comply with all applicable state and federal statutes and regulations, and all applicable ordinances, rules, and regulations of the City of National City, whether now in force or subsequently enacted. The CONTRACTOR and each of its SUBCONTRACTOR(S), shall obtain and maintain a current City of National City business license prior to and during performance of any work pursuant to this Agreement.

11. **LICENSES, PERMITS, ETC.** The CONTRACTOR represents and covenants that it has all licenses, permits, qualifications, and approvals of whatever nature that are legally required to practice its profession. The CONTRACTOR represents and covenants that the CONTRACTOR shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any license, permit, or approval which is legally required for the CONTRACTOR to practice its profession.

12. **STANDARD OF CARE.**

A. The CONTRACTOR, in performing any services under this Agreement, shall perform in a manner consistent with that level of care and skill ordinarily exercised by members of the CONTRACTOR'S trade or profession currently practicing under similar conditions and in similar locations. The CONTRACTOR shall take all special precautions necessary to protect the CONTRACTOR'S employees and members of the public from risk of harm arising out of the nature of the work and/or the conditions of the work site.

B. Unless disclosed in writing prior to the date of this Agreement, the CONTRACTOR warrants to the CITY that it is not now, nor has it for the five (5) years preceding, been debarred by a governmental agency or involved in debarment, arbitration or litigation proceedings concerning the CONTRACTOR'S professional performance or the furnishing of materials or services relating thereto.

C. The CONTRACTOR is responsible for identifying any unique products, treatments, processes or materials whose availability is critical to the success of the project the CONTRACTOR has been retained to perform, within the time requirements of the CITY, or, when no time is specified, then within a commercially reasonable time. Accordingly, unless the CONTRACTOR has notified the CITY otherwise, the CONTRACTOR warrants that all products, materials, processes or treatments identified in the project documents prepared for the CITY are reasonably commercially available. Any failure by the CONTRACTOR to use due diligence under this sub-paragraph will render the CONTRACTOR liable to the CITY for any increased costs that result from the CITY'S later inability to obtain the specified items or any reasonable substitute within a price range that allows for project completion in the time frame specified or, when not specified, then within a commercially reasonable time.

13. **NON-DISCRIMINATION PROVISIONS.** The CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. The CONTRACTOR will take positive action to insure that applicants are employed without regard to their age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The CONTRACTOR agrees to post in



conspicuous places available to employees and applicants for employment any notices provided by the CITY setting forth the provisions of this non-discrimination clause.

14. **CONFIDENTIAL INFORMATION.** The CITY may from time to time communicate to the CONTRACTOR certain confidential information to enable the CONTRACTOR to effectively perform the services to be provided herein. The CONTRACTOR shall treat all such information as confidential and shall not disclose any part thereof without the prior written consent of the CITY. The CONTRACTOR shall limit the use and circulation of such information, even within its own organization, to the extent necessary to perform the services to be provided herein. The foregoing obligation of this Section 14, however, shall not apply to any part of the information that (i) has been disclosed in publicly available sources of information; (ii) is, through no fault of the CONTRACTOR, hereafter disclosed in publicly available sources of information; (iii) is already in the possession of the CONTRACTOR without any obligation of confidentiality; or (iv) has been or is hereafter rightfully disclosed to the CONTRACTOR by a third party, but only to the extent that the use or disclosure thereof has been or is rightfully authorized by that third party.

The CONTRACTOR shall not disclose any reports, recommendations, conclusions or other results of the services or the existence of the subject matter of this Agreement without the prior written consent of the CITY. In its performance hereunder, the CONTRACTOR shall comply with all legal obligations it may now or hereafter have respecting the information or other property of any other person, firm or corporation.

CONTRACTOR shall be liable to CITY for any damages caused by breach of this

15. **INDEMNIFICATION AND HOLD HARMLESS.** The CONTRACTOR agrees to defend, indemnify and hold harmless the City of National City, its officers, officials, agents, employees, and volunteers against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons, and all claims, demands, suits, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the CONTRACTOR'S performance or other obligations under this Agreement; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers, employees or volunteers. CITY will cooperate reasonably in the defense of any action, and CONTRACTOR shall employ competent counsel, reasonably acceptable to the City Attorney.

The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this Agreement for any alleged or actual omission, act, or negligence under this Agreement that occurred during the term of this Agreement.

16. **WORKERS' COMPENSATION.** The CONTRACTOR shall comply with all of the provisions of the Workers' Compensation Insurance and Safety Acts of the State of California, the applicable provisions of Division 4 and 5 of the California Government Code and all amendments thereto; and all similar State or federal acts or laws applicable; and shall indemnify, and hold harmless the CITY and its officers, employees, and volunteers from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description, including reasonable attorney's fees and defense costs presented, brought or recovered against the CITY or its officers, employees, or volunteers, for or on account of any



liability under any of said acts which may be incurred by reason of any work to be performed by the CONTRACTOR under this Agreement.

17. **INSURANCE.** The CONTRACTOR, at its sole cost and expense, shall purchase and maintain, and shall require its SUBCONTRACTOR(S), when applicable, to purchase and maintain throughout the term of this Agreement, the following checked insurance policies:

A. ☐ If checked, **Professional Liability Insurance** (errors and omissions) with minimum limits of \$1,000,000 per occurrence.

B. **Automobile Insurance** covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles ("any auto"). The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided.

C. **Commercial General Liability Insurance**, with minimum limits of either \$2,000,000 per occurrence and \$4,000,000 aggregate, or \$1,000,000 per occurrence and \$2,000,000 aggregate with a \$2,000,000 umbrella policy, covering all bodily injury and property damage arising out of its operations, work, or performance under this Agreement. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location". The "project" or "location" should be noted with specificity on an endorsement that shall be incorporated into the policy.

D. **Workers' Compensation Insurance** in an amount sufficient to meet statutory requirements covering all of CONTRACTOR'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident. In addition, the policy shall be endorsed with a waiver of subrogation in favor of the CITY. Said endorsement shall be provided prior to commencement of work under this Agreement.

If CONTRACTOR has no employees subject to the California Workers' Compensation and Labor laws, CONTRACTOR shall execute a Declaration to that effect. Said Declaration shall be provided to CONTRACTOR by CITY.

E. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, officials, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the CITY of cancellation or material change.

F. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the CONTRACTOR shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this Agreement.

G. Insurance shall be written with only California admitted companies that hold a current policy holder's alphabetic and financial size category rating of not less than A:VII according to the current Best's Key Rating Guide, or a company equal financial stability that is approved by the CITY'S Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent California List of Eligible Surplus Lines Insurers (LESLI list) and otherwise meet rating requirements.

H. This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with and approved by the CITY'S Risk Manager. If the CONTRACTOR does not keep all of such insurance policies in



full force and effect at all times during the terms of this Agreement, the CITY may elect to treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.

I. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the CITY.

18. **LEGAL FEES.** If any party brings a suit or action against the other party arising from any breach of any of the covenants or agreements or any inaccuracies in any of the representations and warranties on the part of the other party arising out of this Agreement, then in that event, the prevailing party in such action or dispute, whether by final judgment or out-of-court settlement, shall be entitled to have and recover of and from the other party all costs and expenses of suit, including attorneys' fees.

For purposes of determining who is to be considered the prevailing party, it is stipulated that attorney's fees incurred in the prosecution or defense of the action or suit shall not be considered in determining the amount of the judgment or award. Attorney's fees to the prevailing party if other than the CITY shall, in addition, be limited to the amount of attorney's fees incurred by the CITY in its prosecution or defense of the action, irrespective of the actual amount of attorney's fees incurred by the prevailing party.

19. **TERMINATION.**

A. This Agreement may be terminated with or without cause by the CITY. Termination without cause shall be effective only upon 60-day's written notice to the CONTRACTOR. During said 60-day period the CONTRACTOR shall perform all services in accordance with this Agreement.

B. This Agreement may also be terminated immediately by the CITY for cause in the event of a material breach of this Agreement, misrepresentation by the CONTRACTOR in connection with the formation of this Agreement or the performance of services, or the failure to perform services as directed by the CITY.

C. Termination with or without cause shall be effected by delivery of written Notice of Termination to the CONTRACTOR as provided for herein.

D. In the event of termination, all finished or unfinished Memoranda Reports, Maps, Drawings, Plans, Specifications and other documents prepared by the CONTRACTOR, whether paper or electronic, shall immediately become the property of and be delivered to the CITY, and the CONTRACTOR shall be entitled to receive just and equitable compensation for any work satisfactorily completed on such documents and other materials up to the effective date of the Notice of Termination, not to exceed the amounts payable hereunder, and less any damages caused the CITY by the CONTRACTOR'S breach, if any. Thereafter, ownership of said written material shall vest in the CITY all rights set forth in Section 7.

E. The CITY further reserves the right to immediately terminate this Agreement upon: (1) the filing of a petition in bankruptcy affecting the CONTRACTOR; (2) a reorganization of the CONTRACTOR for the benefit of creditors; or (3) a business reorganization, change in business name or change in business status of the CONTRACTOR.

20. **NOTICES.** All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered; or sent by overnight mail (Federal Express or the like); or sent by registered or certified mail, postage prepaid, return receipt requested; or sent by ordinary mail, postage prepaid; or telegraphed or cabled; or delivered or sent by telex,



telecopy, facsimile or fax; and shall be deemed received upon the earlier of (i) if personally delivered, the date of delivery to the address of the person to receive such notice, (ii) if sent by overnight mail, the business day following its deposit in such overnight mail facility, (iii) if mailed by registered, certified or ordinary mail, five (5) days (ten (10) days if the address is outside the State of California) after the date of deposit in a post office, mailbox, mail chute, or other like facility regularly maintained by the United States Postal Service, (iv) if given by telegraph or cable, when delivered to the telegraph company with charges prepaid, or (v) if given by telex, telecopy, facsimile or fax, when sent. Any notice, request, demand, direction or other communication delivered or sent as specified above shall be directed to the following persons:

To CITY: Frank Parra  
Director of Emergency Services  
Fire Department  
City of National City  
1243 National City Boulevard  
National City, CA. 91950-4397

To CONTRACTOR:  
Ramon Garza  
President  
Accelerated Modular Concepts Inc.  
14252 Andrews Drive, #7  
Victorville, CA. 92395

Notice of change of address shall be given by written notice in the manner specified in this Section. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to constitute receipt of the notice, demand, request or communication sent. Any notice, request, demand, direction or other communication sent by cable, telex, telecopy, facsimile or fax must be confirmed within forty-eight (48) hours by letter mailed or delivered as specified in this Section.

**21. CONFLICT OF INTEREST AND POLITICAL REFORM ACT**  
**OBLIGATIONS.** During the term of this Agreement, the CONTRACTOR shall not perform services of any kind for any person or entity whose interests conflict in any way with those of the City of National City. The CONTRACTOR also agrees not to specify any product, treatment, process or material for the project in which the CONTRACTOR has a material financial interest, either direct or indirect, without first notifying the CITY of that fact. The CONTRACTOR shall at all times comply with the terms of the Political Reform Act and the National City Conflict of Interest Code. The CONTRACTOR shall immediately disqualify itself and shall not use its official position to influence in any way any matter coming before the CITY in which the CONTRACTOR has a financial interest as defined in Government Code Section 87103. The CONTRACTOR represents that it has no knowledge of any financial interests that would require it to disqualify itself from any matter on which it might perform services for the CITY.

☐ If checked, the CONTRACTOR shall comply with all of the reporting requirements of the Political Reform Act and the National City Conflict of Interest Code. Specifically, the CONTRACTOR shall file a Statement of Economic Interests with the City



Clerk of the City of National City in a timely manner on forms which the CONTRACTOR shall obtain from the City Clerk.

The CONTRACTOR shall be strictly liable to the CITY for all damages, costs or expenses the CITY may suffer by virtue of any violation of this Paragraph 22 by the CONTRACTOR.

22. **PREVAILING WAGES.** State prevailing wage rates may apply to work performed under this Agreement. State prevailing wages rates apply to all public works contracts as set forth in California Labor Code, including but not limited to, Sections 1720, 1720.2, 1720.3, 1720.4, and 1771. CONTRACTOR is solely responsible to determine if State prevailing wage rates apply and, if applicable, pay such rates in accordance with all laws, ordinances, rules, and regulations.

23. **MISCELLANEOUS PROVISIONS.**

A. *Computation of Time Periods.* If any date or time period provided for in this Agreement is or ends on a Saturday, Sunday or federal, state or legal holiday, then such date shall automatically be extended until 5:00 p.m. Pacific Time of the next day which is not a Saturday, Sunday or federal, state, or legal holiday.

B. *Counterparts.* This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument.

C. *Captions.* Any captions to, or headings of, the sections or subsections of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or any provision hereof.

D. *No Obligations to Third Parties.* Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.

E. *Exhibits and Schedules.* The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference for all purposes. To the extent any exhibits, schedules, or provisions thereof conflict or are inconsistent with the terms and conditions contained in this Agreement, the terms and conditions of this Agreement shall control.

F. *Amendment to this Agreement.* The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

G. *Waiver.* The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.

H. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California.

I. *Audit.* If this Agreement exceeds ten-thousand dollars (\$10,000), the parties shall be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the Agreement, per Government Code Section 8546.7.

J. *Entire Agreement.* This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent or representative of any party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.



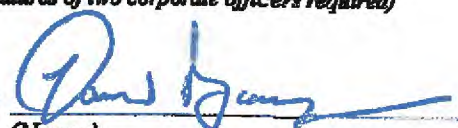







K. *Successors and Assigns.* This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

L. *Subcontractors or SubCONTRACTORS.* The CITY is engaging the services of the CONTRACTOR identified in this Agreement. The CONTRACTOR shall not subcontract any portion of the work, unless such subcontracting was part of the original proposal or is allowed by the CITY in writing. In the event any portion of the work under this Agreement is subcontracted, the subCONTRACTOR(s) shall be required to comply with and agree to, for the benefit of and in favor of the CITY, both the insurance provisions in Section 17 and the indemnification and hold harmless provision of Section 15 of this Agreement.

M. *Construction.* The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this Agreement, (iv) each party and such party's counsel and advisors have reviewed this Agreement, (v) each party has agreed to enter into this Agreement following such review and the rendering of such advice, and (vi) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

<b>CITY OF NATIONAL CITY</b>  By:  Ron Morrison, Mayor   APPROVED AS TO FORM: Angil P. Morris-Jones City Attorney  By:  Nicole Pedone Senior Assistant City Attorney	<b>ACCELERATED MODULAR CONCEPTS INCORPORATED</b> <i>(Signatures of two corporate officers required)</i>  By:  (Name)  (Print)  (Title)  By:  (Name)  (Print)  (Title)
--	--

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
RATIFYING AND RETROACTIVELY AUTHORIZE THE MAYOR'S  
EXECUTION OF THE AGREEMENT BY AND BETWEEN  
THE CITY OF NATIONAL CITY AND ACCELERATED MODULAR  
CONCEPTS INCORPORATED IN THE AMOUNT OF \$112,846.28 FOR  
THE DELIVERY AND SET UP OF A MODULAR BUILDING TO BE  
USED BY THE NATIONAL CITY FIRE DEPARTMENT AS PART  
OF THE SQUAD PILOT PROGRAM AT EL TOYON PARK

WHEREAS, on March 21, 2017, the City Council adopted Resolution No. 2017-32 authorizing the establishment of an appropriation in the amount of \$318,751 from the General Fund Fund Balance, toward the development and issuance of all necessary bid documents, including, but not limited to, site preparation, such as underground water, sewer, and electrical, and the cost of a 12 month lease of a mobile home trailer to be used by the Fire Department as part of the Squad Pilot Program at El Toyon Park; and

WHEREAS, Resolution No. 2017-32 also authorized the establishment of an appropriation in the amount of \$45,000 from the Police Department Development Impact Fee Fund to offset the costs of a covered parking structure as part of the Squad Pilot Program at El Toyon Park, resulting in a total project cost of \$363,751; and

WHEREAS, after researching various modular building companies, and evaluating whether the companies met the building needs for the Squad Pilot Program, staff recommended entering into an Agreement with Accelerated Modular Concepts Incorporated in the not to exceed amount of \$112,846.28.00 for delivery, setup, and tie down of a modular building, provide skirting and a handicap ramp, make final electrical and plumbing connections, and construct a covered vehicle parking structure 32' long x 30' wide x 13' high; and

WHEREAS, in order to expedite project completion, scheduled for September 2017, the Agreement was executed by the Mayor on June 1, 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby ratifies and retroactively authorizes the Mayor to execute the Agreement by and between the City of National City and Accelerated Modular Concepts Incorporated in the amount of \$112,846.28 for the delivery, setup, and tie down of a modular building, provide skirting and a handicap ramp, make final electrical and plumbing connections, and construct a covered vehicle parking structure 32' long x 30' wide x 13' high to be used by the National City Fire Department as part of the Squad Pilot Program at El Toyon Park. Said Agreement is on file in the Office of the City Clerk.

*[Signature Page to Follow]*



PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City accepting a Grant Deed from White Whale Properties, Inc., a California Corporation, for a dedication of real property to allow for the construction of a public sidewalk adjacent to their property

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City accepting a Grant Deed from White Whale Properties, Inc., a California Corporation, for a partial street dedication to allow for construction of a public sidewalk adjacent to their property located at 1640 Orange Street (APN 561-160-40).

**PREPARED BY:** Charles Nissley

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 336-4396

**APPROVED BY:**

**EXPLANATION:**

White Whale Properties, Inc., a California Corporation, is the owner of the property located at 1640 Orange Street in National City. As a requirement for the development of their site, they were conditioned to install sidewalk that is missing along their property frontage. The right of way along the property frontage is not wide enough for the new sidewalk; therefore a partial street dedication is required.

White Whale Properties, Inc. has prepared a Grant Deed to dedicate the necessary right of way to install the missing sidewalk. White Whales Properties, Inc. is asking the City to accept the Grant Deed.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

N/A

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt the Resolution accepting a Grant Deed from White Whale Properties, Inc. for a partial street dedication to allow for construction of a public sidewalk adjacent to their property located at 1640 Orange Street.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Resolution
2. Grant Deed
3. Legal Description and Plat





RECORDING REQUESTED BY

AND WHEN RECORDED MAIL DOCUMENT TO:

WHITE WHALE PROPERTIES, INC.  
P.O. BOX 127116  
SAN DIEGO, CA 92112

Space Above This Line for Recorder's Use Only

A.P.N.: 561-160-40-00

File No.: \_\_\_\_\_

**GRANT DEED**

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_; CITY TRANSFER TAX \$ \_\_\_\_\_;

- [ ☒ ] computed on the consideration or full value of property conveyed, OR  
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,  
[ ] unincorporated area; ☒ City of NATIONAL CITY and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**WHITE WHALE PROPERTIES, INC., A CALIFORNIA CORPORATION**

hereby GRANTS to **NATIONAL CITY, A CALIFORNIA CORPORATION**

the following described property in the City of NATIONAL CITY, County of SAN DIEGO, State of California:

**SEE LEGAL ATTACHED**

A.P.N.: 561-160-40-00

File No.: \_\_\_\_\_

Dated: 5/2/16



Mail Tax Statements To: **SAME AS ABOVE**



Date: \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California )SS  
COUNTY OF San Diego )

On May 2nd, 2016, before me, Cassandra Miramontes, Notary Public, personally appeared Taylor Michael Robertson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Cassandra Miramontes



*This area for official notarial seal*



**STREET DEDICATION**  
To the CITY OF NATIONAL CITY by  
WHITE WHALE PROPERTIES, INC.

**LEGAL DESCRIPTION**

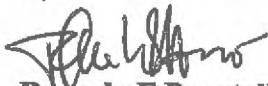
All that portion of Lot A, Block 6 of Orchard subdivision, in the City of National City, County of San Diego, State of California, according to Map thereof No. 1785, filed in the office of the County Recorder of San Diego County, March 6, 1924, pertaining to and known to be the parcel of land at 1640 Orange Street with Assessor's Parcel No. 56-160-40-00, more specifically described as follows:

COMMENCING at a point of the reverse curve on the southerly right of way of Orange Street, said point being also the most westerly corner of the subject property; thence northeasterly along a curve concave southerly with 85 feet radius, a distance of 1.64 feet to a point on the northerly property line and TRUE POINT OF BEGINNING; thence continuing along the same curve with 85.00 feet radius and a central angle of 16°54'20", a distance of 25.08 feet to a point; thence southerly along a curve concave northeasterly with a radius of 37.00 feet and a central angle of 22°27'14", a distance of 14.50 feet; thence westerly along a curve concave southwesterly with 30 feet radius and a central angle of 66°50'42", said curve being also the eventual right of way line of Orange Street, a distance of 35.04 back to the True Point Of Beginning.

The area of the above described property owned by White Whale Properties, Inc. to be dedicated to the City of National City is 66.91 square feet.

Prepared May 1, 2016

By:



Romulo F Puertollano

RCE# 27246

Exp. 3-31-17

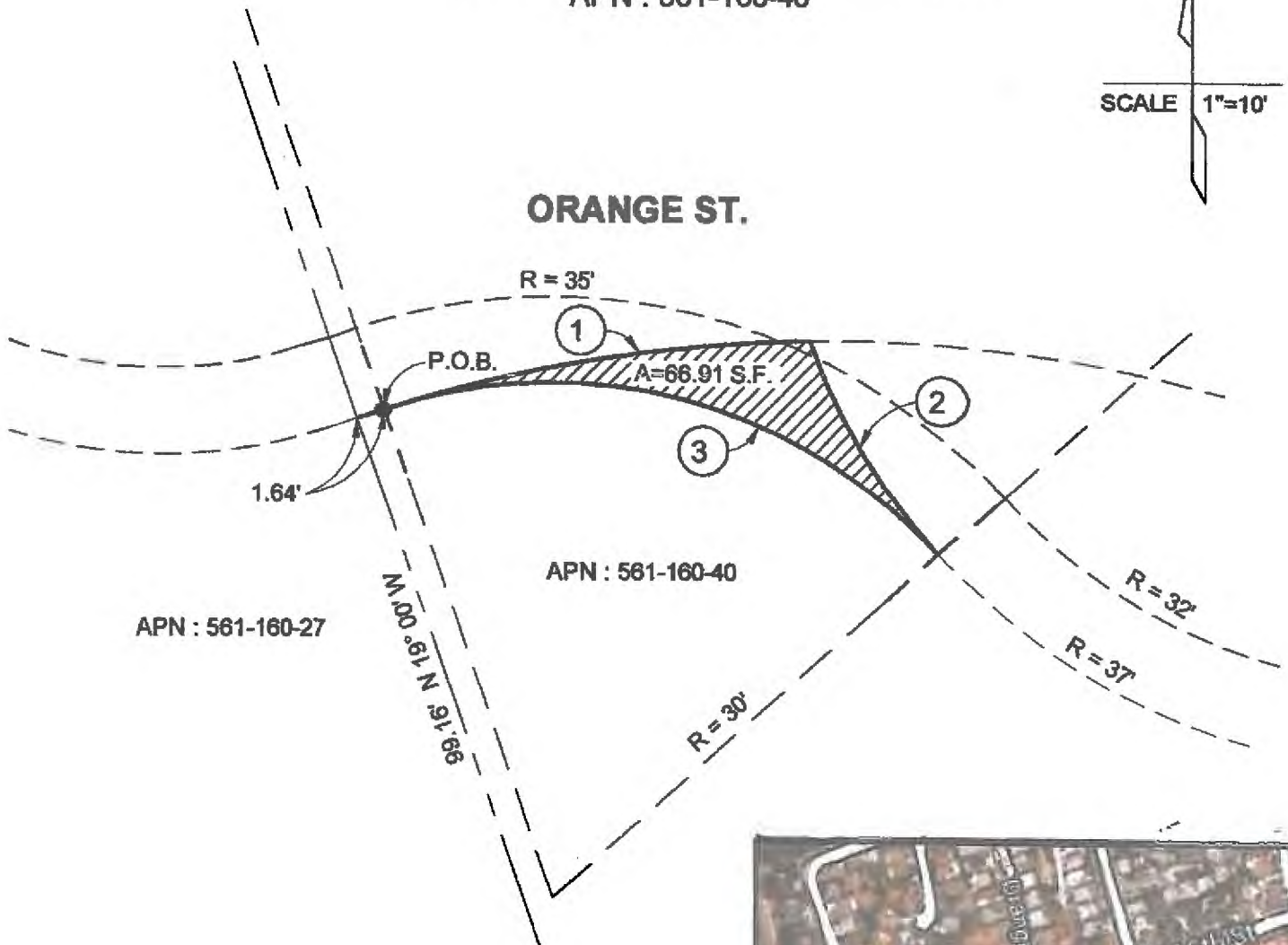
# STREET DEDICATION

1640 Orange Street, National City, CA 91950

APN : 561-160-40

SCALE 1"=10'

ORANGE ST.



## CURVE DATA

CURVE	(Δ) DELTA	RADIUS	LENGTH
①	16°54'20"	85.0'	25.08'
②	22°27'14"	37.0'	14.50'
③	66°50'42"	30.0'	35.04'



VICINITY MAP (N.T.S.)

## "ATTACHMENT"

PREPARED: Apr. 27, 2016

BY: **Romulo F. Puertollano**  
RCE No. 27216

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ACCEPTING A GRANT DEED FROM WHITE WHALE PROPERTIES, INC.,  
A CALIFORNIA CORPORATION, FOR THE DEDICATION OF  
REAL PROPERTY FOR CONSTRUCTION OF A PUBLIC SIDEWALK  
ADJACENT TO THE PROPERTY LOCATED AT 1640 ORANGE STREET  
(APN 561-160-40)

WHEREAS, White Whale Properties, Inc. ("White Whale"), a California Corporation, is the owner of the property located at 1640 Orange Street in National City; and

WHEREAS, as a requirement for the development of the site, White Whale is required to install sidewalk that is missing along their property; and

WHEREAS, a dedication of real property is required because the public right of way along the property frontage is not wide enough to construct a new sidewalk; and

WHEREAS, White Whale has executed a Grand Deed to the City of National City for the dedication of real property to allow for construction of a public sidewalk adjacent to their property located at 1640 Orange Street.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby accepts a Grant Deed for the street dedication of real property from White Whale Properties, Inc., a California Corporation, to allow for construction of a public sidewalk adjacent to their property located at 1640 Orange Street.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney



The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of 83 feet of diagonal “30-minute parking” located on E. 8th Street adjacent to “Big Ben Specialty Market” and 81 feet of parallel “30-minute parking” located on “A”

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the installation of 83 feet of diagonal "30-minute parking" located on E. 8th Street adjacent to "Big Ben Specialty Market" and 81 feet of parallel "30-minute parking" located on "A" Avenue adjacent to "Big Ben Specialty Market" to increase parking turnover for customers (TSC No. 2017-19).

**PREPARED BY:** Luca Zappiello, Civil Engineering Tech

**PHONE:** 619-336-4360

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:**

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt a Resolution authorizing installation of 83 feet of "30-minute parking" located on E. 8th Street in front of "Big Ben Specialty Market" and 81 feet of "30-minute parking" located on "A" Avenue adjacent to "Big Ben Specialty Market".

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to install "30-minute" parking on E. 8th Street and "A" Avenue adjacent to "Big Ben Specialty Market."

**ATTACHMENTS:**

1. Explanation w/ Exhibits
2. Staff Report to the Traffic Safety Committee on August 9, 2017 (TSC No. 2017-19)
3. Resolution

## **EXPLANATION**

Mr. Naseem Salem, owner of “Big Ben Specialty Market” (Market), located at 108 E. 8th Street, has requested time restricted parking on E. 8th Street in front of the Market and on “A” Avenue adjacent to the Market in order to increase parking turnover for customers. Mr. Salem stated that the customers are unable to find on-street parking easily and drive out of the area in order to find available parking. Furthermore, Mr. Salem stated that parking spaces in front of his business are frequently occupied by vehicles all day. According to Mr. Salem, the conversion from unrestricted parking to 30-minute parking will provide customers ample time to shop at the Market and increase parking turnover for customers.

Staff visited the site and confirmed that the Market offers customer parking in their rear parking lot, which provides twenty-two (22) parking spaces, including two disabled parking spaces. The entrance to the Market is on E. 8th Street. There are unrestricted parking spaces in front of and adjacent to the Market. There are three, 30-minute parking spaces located on the north side of E. 8th Street, across the street from the Market.

Staff measured the amount of parking available on the south side of 8th Street in front of the Market. There are approximately 83 feet of diagonal parking available for seven (7) vehicles. Furthermore, staff measured the amount of curbside parking available on the east side of “A” Avenue adjacent to the Market. There are approximately 81 feet of parallel parking available for four (4) vehicles.

This item was presented to the Traffic Safety Committee on August 9, 2017. Mr. Pedro Anaya, representative for Mr. Salem, was in attendance and spoke in support of the item. Staff reminded Mr. Anaya and the Committee that City Council recently adopted a Parking Action Plan (PAP) for Downtown National City that considers installation of parking meters on E. 8th Street and “A” Avenue within the next two years. Therefore, the 30-minute time restricted parking signs, if approved, would serve as an interim solution to support the Market until implementation of the PAP.

The Traffic Safety Committee unanimously approved the staff recommendation to install 83 feet of diagonal “30-minute parking” located on E. 8th Street adjacent to the Market and 81 feet of parallel “30-minute” parking located on “A” Avenue adjacent to the Market as an interim solution until the City implements the PAP for Downtown National City.

If approved by City Council, all work will be performed by City Public Works.



## Location Map with Recommended Enhancements (TSC Item: 2017-19)





**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR AUGUST 9, 2017**

**ITEM NO. 2017-19**

**ITEM TITLE:** **REQUEST TO INSTALL 83 FEET OF DIAGONAL "30-MINUTE PARKING" LOCATED ON E. 8<sup>TH</sup> STREET IN FRONT OF "BIG BEN SPECIALTY MARKET" AND 81 FEET OF PARALLEL "30-MINUTE PARKING" LOCATED ON "A" AVENUE ADJACENT TO "BIG BEN SPECIALTY MARKET" TO INCREASE PARKING TURNOVER FOR CUSTOMERS**

**PREPARED BY:** Luca Zappiello, Civil Engineering Technician  
Engineering & Public Works Department

**DISCUSSION:**

Mr. Naseem Salem, owner of "Big Ben Specialty Market" (Market), located at 108 E. 8th Street, has requested time restricted parking on E. 8th Street in front of the Market and on "A" Avenue adjacent to the Market in order to increase parking turnover for customers. Mr. Salem stated that the customers are unable to find on-street parking easily and drive out of the area in order to find available parking. Furthermore, Mr. Salem stated that parking spaces in front of his business are frequently occupied by vehicles all day. According to Mr. Salem, the conversion from unrestricted parking to 30-minute parking will provide customers ample time to shop at the Market and increase parking turnover for customers.

Staff visited the site and verified that the Market is located on the corner between E. 8th Street and "A" Avenue. The business has a customer parking lot with twenty-two (22) private parking spaces, including two disabled parking spaces. The parking lot is located in the rear of the building. The business does not have direct access from the parking lot to the Market. The only access to the Market is on E. 8th Street. There are unrestricted parking spaces in front of and adjacent to the Market. The north side of E. 8th Street has 30-minute parking across of the street from the Market.

Staff measured the amount of parking available on the south side of 8th Street in front of the Market. There are approximately 83 feet of diagonal parking available for seven (7) vehicles. Furthermore, staff measured the amount of curbside parking available on the east side of "A" Avenue adjacent to the Market. There are approximately 81 feet of parallel parking available for four (4) vehicles.

**STAFF RECOMMENDATION:**

Staff recommends the installation of 83 feet of diagonal "30-minute parking" located on E. 8th Street in front of "Big Ben Specialty Market" and 81 feet of parallel "30-minute" parking located on "A" Avenue adjacent to "Big Ben Specialty Market" as an interim solution until the city adopts a formal management plan for downtown National City.

**EXHIBITS:**

1. Correspondence
2. Location Map
3. Photos

2017-19





May 16, 2017

Stephen Manganiello  
National City Director of Public Works/City Engineering  
1243 National City Blvd  
National City, CA 91950

**RE: Installing Parking Time Restrictions Along 8<sup>th</sup> Street, A Avenue and B Avenue**

Dear Mr. Manganiello,

I am the owner of Big Ben Specialty Market located at 108 East 8<sup>th</sup> Street, National City, CA 91950. I would like to formally request the installation of 30 minute parking zones along East 8<sup>th</sup> Street between A Avenue and B Avenue, as well on A Avenue and B Avenue between East 8<sup>th</sup> Street and East 9<sup>th</sup> Street.

As you may be aware, due to the recent construction on 8<sup>th</sup> Street we have seen a decline in business. We have heard from our customers that they were discouraged from traveling near our store due to the traffic and congestion caused by construction. Now that construction has finished, unrestricted parking has allowed nearby residents, travelers and workers to park their cars all day taking up spaces that our customers could use as they visit our store. As a result, my customers are left circling the block looking for available parking before turning away permanently. Many times, the decision to stop into our store is based on the perception to be able to make this a quick visit. I believe the addition of parking restrictions would help my business and others to flourish.

The addition of these parking restrictions, along with our existing parking, coupled with increased enforcement, would likely increase foot traffic, restore the prominence of the businesses nearby and ensure Big Ben Specialty Market can continue to provide jobs for many hard working residents.

As we understand, the submission of this request allows for the process to move forward. We have hired Pedro Anaya from Southwest Strategies to work on this on our behalf, he can serve as the point of contact to answer any questions or coordinate any required efforts. Pedro can be reached at

We look forward to discussing our request at your convenience. I thank you in advance for your prompt response.

Sincerely,

  
Naseem Salem

108 E 8th St, National City, CA 91950

Phone:

Fax



## Location Map with Recommended Enhancements (TSC Item: 2017-19)







**Location of proposed 30 minute parking located on E. 8<sup>th</sup> Street (looking west)**



**Location of proposed 30 minute parking located on "A" Avenue (looking south)**



RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE INSTALLATION OF 83 FEET OF DIAGONAL  
“30-MINUTE PARKING” ON EAST 8TH STREET IN FRONT OF  
“BIG BEN SPECIALTY MARKET” LOCATED AT 108 EAST 8<sup>TH</sup> STREET,  
AND 81 FEET OF PARALLEL “30-MINUTE PARKING” ON “A” AVENUE  
ADJACENT TO “BIG BEN SPECIALTY MARKET” TO INCREASE  
PARKING TURNOVER FOR CUSTOMERS  
(TSC No. 2017-19)

WHEREAS, the owner of “Big Ben Specialty Market” (the “Market”) located at 108 East 8th Street has requested time restricted parking on East 8th Street in front of the Market and on “A” Avenue adjacent to the Market in order to increase parking turnover for customers; and

WHEREAS, after conducting an inspection and review, staff recommends the installation of 83 feet of diagonal “30-minute parking” on East 8th Street in front of the Market and 81 feet of parallel “30-minute” parking on “A” Avenue adjacent to the Market as an interim solution until the City implements the Parking Action Plan (PAP) for Downtown National City; and

WHEREAS, on August 9, 2017, the Traffic Safety Committee approved staff’s recommendation to install of 83 feet of diagonal “30-minute parking” on East 8th Street in front of the Market and 81 feet of parallel “30-minute” parking on “A” Avenue adjacent to the Market.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of 83 feet of diagonal “30-minute parking” on East 8th Street in front of Big Ben Specialty Market and 81 feet of parallel “30-minute” parking on “A” Avenue adjacent to Big Ben Specialty Market as an interim solution to increase parking turnover for customers until the City implements the Parking Action Plan (PAP) for Downtown National City.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the conversion of 67 feet of 1-hour parallel parking to 30-minute parking on National City Boulevard adjacent to “B&B Furniture” and install 37 feet of 30-minute parallel parking on W

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the conversion of 67 feet of 1-hour parallel parking to 30-minute parking on National City Boulevard adjacent to "B&B Furniture" and install 37 feet of 30-minute parallel parking on W. 4th Street adjacent to "B&B Furniture" to increase parking turnover for customers (TSC No. 2017-20).

**PREPARED BY:** Luca Zappiello, Civil Engineering Tech

**PHONE:** 619-336-4360

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt Resolution authorizing conversion of 67 feet of 1-hour parallel parking to 30-minute parking on National City Blvd adjacent to "B&B Furniture" and installation of 37 feet of 30-minute parallel parking on W. 4th St adjacent to "B&B Furniture".

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to convert 1-hour parking to 30-minute parking on National City Blvd adjacent to "B&B Furniture" and install 30-minute parking on W. 4th St.

**ATTACHMENTS:**

1. Explanation w/ Exhibits
2. Staff Report to the Traffic Safety Committee on August 9, 2017 (TSC No. 2017-20)
3. Resolution



## **EXPLANATION**

Ms. Ellen Stewart, owner of the business "B&B Furniture" at 404-408 National City Boulevard, has requested the conversion of a 1-hour to 30-minute parking zone in front of her business and the installation of a 30-minute parking zone on W. 4th Street adjacent to the business. Ms. Stewart stated that the conversion from 1-hour to 30-minute parking in front of her business and the installation of 30-minute parking on W. 4th Street adjacent to the business should increase the viability of her business, provide enough time for customers to load goods into the car, and reduce the amount of time that vehicles are parked in front of her business.

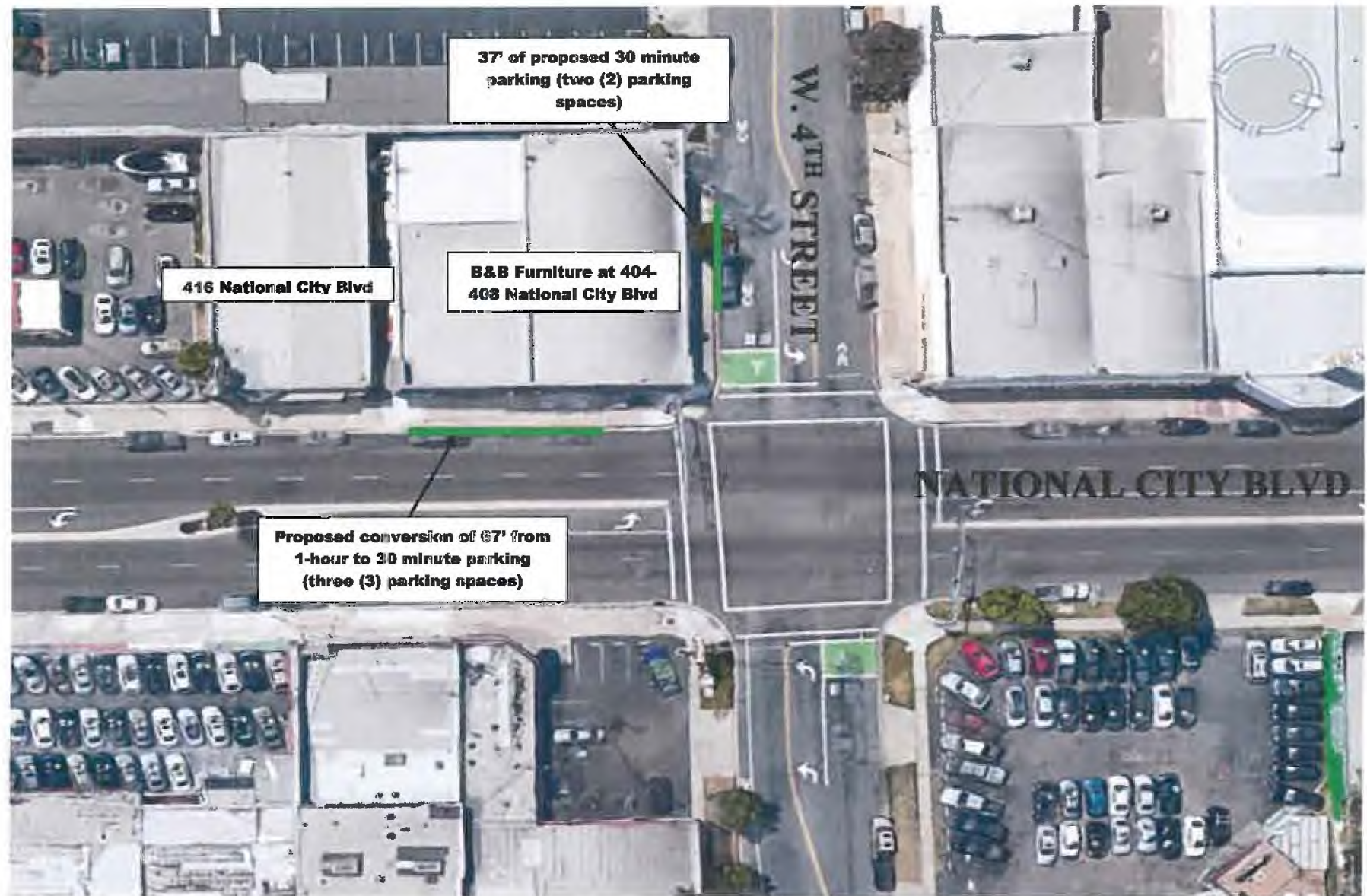
Staff visited the site and verified that the business does not have off-street parking. Staff measured the amount of parking available on the west side of National City Boulevard in front of "B&B Furniture". There are approximately 67 feet of parallel parking available for three (3) vehicles. Furthermore, staff measured the amount of curbside parking available on the south side of W. 4th Street adjacent to "B&B Furniture". There are approximately 37 feet of parallel parking available for two (2) vehicles.

This item was presented to the Traffic Safety Committee on August 9, 2017. Ms. Ellen Stewart was in attendance and spoke in support of the item.

The Traffic Safety Committee unanimously approved the staff recommendations to convert 67 feet of parallel parking zone from 1-hour to 30-minute parking in front of "B&B Furniture" located at 404-408 National City Boulevard and to install 37 feet of parallel 30-minute parking located on W. 4th Street adjacent to "B&B Furniture" to increase parking turnover for customers.

If approved by City Council, all work will be performed by City Public Works.

## Location Map with Recommended Enhancements (TSC Item: 2017-20)





**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR AUGUST 9, 2017**

**ITEM NO. 2017-20**

**ITEM TITLE:** **REQUEST TO CONVERT 67 FEET OF PARALLEL PARKING ZONE FROM 1-HOUR TO 30-MINUTE PARKING ON NATIONAL CITY BOULEVARD IN FRONT OF "B&B FURNITURE" AND INSTALL 37 FEET OF PARALLEL "30-MINUTE PARKING" LOCATED ON W. 4<sup>TH</sup> STREET ADJACENT TO "B&B FURNITURE" TO INCREASE PARKING TURNOVER FOR CUSTOMERS**

**PREPARED BY:** Luca Zappiello, Civil Engineering Technician  
Engineering & Public Works Department

**DISCUSSION:**

Ms. Ellen Stewart, owner of the business "B&B Furniture" at 404-408 National City Boulevard, has requested the conversion of a 1-hour to 30-minute parking zone in front of her business and the installation of a 30-minute parking zone on W. 4<sup>th</sup> Street adjacent to the business. Ms. Stewart stated that the conversion from 1-hour to 30-minute parking in front of her business and the installation of 30-minute parking on W. 4<sup>th</sup> Street adjacent to the business should increase the viability of her business, provide enough time for customers to load goods into the car, and reduce the amount of time that vehicles are parked in front of Ms. Stewart's business.

Staff visited the site and verified that the business does not have off-street parking. Staff measured the amount of parking available on the west side of National City Boulevard in front of "B&B Furniture". There are approximately 67 feet of parallel parking available for three (3) vehicles. Furthermore, staff measured the amount of curbside parking available on the south side of W. 4<sup>th</sup> Street adjacent to "B&B Furniture". There are approximately 37 feet of parallel parking available for two (2) vehicles.

**STAFF RECOMMENDATION:**

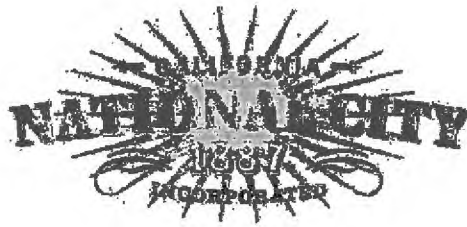
Staff recommends the conversion of 67 feet of parallel parking zone from 1-hour to 30-minute parking in front of "B&B Furniture" located at 404-408 National City Boulevard and the installation of 37 feet of parallel "30-minute parking" located on W. 4<sup>th</sup> Street adjacent to "B&B Furniture" to increase parking turnover for customers.

**EXHIBITS:**

1. Public Request
2. Location Map
3. Photos

2017-20





## PUBLIC REQUEST FORM

### Contact Information

Name:	ELLEN R STEWART		
Address:	3619 FILLY LANE. BONITA CA 91902		
Phone:		Email:	

### Request Information

Location:	404 - 408 National City Blvd. N.C.		
Request:	Parking in front 1/2 hr.		
Attachments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Description: _____

### Internal Use Only:

Request Received By:	LUCA ZAPPIELLO		Date:	6/20/2017	
Received via:	<input checked="" type="checkbox"/> Counter/In-Person	<input type="checkbox"/> Telephone	<input type="checkbox"/> Email	<input type="checkbox"/> Fax	<input type="checkbox"/> Referral:
Assigned To:	L. ZAPPIELLO				
Notes:					



August 1, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-20

**REQUEST TO CONVERT 67 FEET OF PARALLEL PARKING ZONE FROM 1-HOUR TO 30-MINUTE PARKING ON NATIONAL CITY BOULEVARD IN FRONT OF "B&B FURNITURE" AND INSTALL 37 FEET OF PARALLEL "30-MINUTE PARKING" LOCATED ON W. 4<sup>TH</sup> STREET ADJACENT TO "B&B FURNITURE" TO INCREASE PARKING TURNOVER FOR CUSTOMERS**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, August 9, 2017, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access to the 2<sup>nd</sup> Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-20.

Sincerely,

A handwritten signature in black ink that reads "Stephen Z. Manganiello".

Stephen Manganiello  
City Engineer

SM:lz

Enclosure: Location Map

2017-20

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1234 National City Boulevard, National City, CA 91950-6530  
(619) 336-4380 Fax (619) 336-4397 [engineering@nationalcityca.gov](mailto:engineering@nationalcityca.gov)



## Location Map with Recommended Enhancements (TSC Item: 2017-20)







**Location of request for the conversion from 1-hour to 30 minutes time restricted (looking southeast)**



**Location of request for the installation of a 30 minute parking zone (looking southeast)**

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE CONVERSION OF 67 FEET OF ONE-HOUR PARKING  
TO 30-MINUTE PARKING ON NATIONAL CITY BOULEVARD IN FRONT OF  
"B&B FURNITURE" LOCATED AT 404-408 NATIONAL CITY BOULEVARD,  
AND THE INSTALLATION OF 37 FEET OF 30-MINUTE PARALLEL  
PARKING ON WEST 4TH STREET ADJACENT TO "B&B FURNITURE"  
TO INCREASE PARKING TURNOVER FOR CUSTOMERS  
(TSC NO. 2017-20)

WHEREAS, the owner of "B&B Furniture" located at 404-408 National City Boulevard has requested that the 1-hour parking zone in front the business be converted to a 30-minute parking zone, and that a 30-minute parking zone be installed on West 4th Street adjacent to the business to increase the viability of the business, to provide enough time for customers to load goods into the car, and to reduce the amount of time that vehicles are parked in front of her business; and

WHEREAS, after conducting an inspection and review, staff recommends that 67 feet of the parking zone in front of "B&B Furniture" be converted from 1-hour parking to 30-minute parking and the installation of 37 feet of parallel 30-minute parking on West 4th Street adjacent to the business; and

WHEREAS, on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to convert 67 feet of the parking zone in front of "B&B Furniture" located at 404-408 National City Boulevard from 1-hour parking to 30-minute parking and the installation of 37 feet of parallel 30-minute parking on West 4th Street adjacent to the business.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the conversion of 67 feet of the parallel parking zone in front of "B&B Furniture" located at 404-408 National City Boulevard from 1-hour parking to 30-minute parking, and the installation of 37 feet of parallel 30-minute parking on West 4th Street adjacent to the business to increase parking turnover for customers.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of a blue curb disabled persons parking space with signage in front of the residence at 635 “J” Avenue (TSC No. 2017-21). (Engineering/Public Works)



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the installation of a blue curb disabled persons parking space with signage in front of the residence at 635 "J" Avenue (TSC No. 2017-21).

**PREPARED BY:** Luca Zappiello, Civil Engineering Tech

**PHONE:** 619-336-4360

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE: INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt a Resolution authorizing installation of a blue curb disabled persons parking space with signage in front of the residence at 635 "J" Avenue.

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to install a blue curb disabled persons parking space with signage in front of the residence at 635 "J" Avenue.

**ATTACHMENTS:**

1. Explanation w/ Exhibits
2. Staff Report to the Traffic Safety Committee on August 9, 2017 (TSC No. 2017-21)
3. Resolution

## **EXPLANATION**

Mrs. Jessie Calderon, resident of 635 "J" Avenue, has requested a blue curb disabled persons parking space in front of her residence. The resident possesses a valid disabled persons placard from the California Department of Motor Vehicles.

Mrs. Calderon's husband, Mr. Frank Calderon, stated that since his wife uses a wheelchair, a blue curb disabled persons parking space would allow him to park the car in front of his house, providing his wife with easier access to the house.

Staff visited the site and observed that Mrs. Calderon's residence does not have a driveway or garage. The residence is located on a corner on the east side of "J" Avenue and north side of E. 7th Street. Staff measured the curb on the east side of "J" Avenue. There are approximately 75 feet (equal to four parking spaces) of unrestricted parking between the northeast ramp at "J" Avenue and E. 7th Street and the driveway of the residence at 631 "J" Avenue. The slope of "J" Avenue in front of her residence is negligible.

The City Council has adopted a policy which is used to evaluate requests for disabled persons parking spaces. The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". This condition is met.
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. This condition is met.
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. This condition is met.

Since all three conditions of the City Council Disabled Persons Parking Policy for "Special Hardship" cases are met, staff recommend the installation of a blue curb disabled persons parking space with signage at 635 "J" Avenue.

This item was presented to the Traffic Safety Committee on August 9, 2017. Mr. Frank Calderon was present and he spoke in support of the installation of the blue curb disabled persons parking space in front of his residence.

The Traffic Safety Committee unanimously approved the staff recommendation to install a blue curb disabled persons parking space with signage at 635 "J" Avenue. Staff reminded Mr. Calderon that any person with a valid disabled persons license plate or placard may park in the blue curb parking space.

If approved by City Council, all work will be performed by City Public Works.



## Location Map with Recommended Enhancements (TSC Item: 2017-21)





**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR AUGUST 9, 2017**

**ITEM NO. 2017-21**

**ITEM TITLE:** **REQUEST TO INSTALL A BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE AT 635 "J" AVENUE.**

**PREPARED BY:** Luca Zappiello, Civil Engineering Technician  
Engineering & Public Works Department

**DISCUSSION:**

Mrs. Jessie Calderon, resident of 635 "J" Avenue, has requested a blue curb disabled persons parking space in front of her residence. The resident possesses a valid disabled persons placard from the California Department of Motor Vehicles.

Mrs. Calderon's husband, Mr. Frank Calderon stated that since his wife uses a wheelchair, a blue curb disabled persons parking space would allow him to park the car in front of his house, providing his wife with easier access to the house.

Staff visited the site and observed that Mrs. Calderon's residence does not have a driveway or garage. The residence is located on a corner on the east side of "J" Avenue and north side of E. 7<sup>th</sup> Street. Staff measured the curb on the east side of "J" Avenue. There are approximately 75 feet (equal to four parking spaces) of unrestricted parking between the northeast ramp at "J" Avenue and E. 7<sup>th</sup> Street and the driveway of the residence at 631 "J" Avenue. The slope of "J" Avenue in front of her residence is negligible.

The City Council has adopted a policy which is used to evaluate requests for disabled persons parking spaces. The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met.*

It shall be noted that disabled persons parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates or placards may park in handicap spaces.

**STAFF RECOMMENDATION:**

Since all three conditions of the City Council Disabled Persons Parking Policy for “Special Hardship” cases are met, staff recommend the installation of a blue curb disabled persons parking space with signage at 635 “J” Avenue.

**EXHIBITS:**

1. Disabled Persons Parking Request Form and Placard
2. Public Notice
3. Location Map
4. Photos
5. City Council Disabled Persons Parking Policy

2017-21

REQUEST FOR BLUE CURB DISABLED PERSONS PARKING SPACE

NAME OF DISABLED PERSON: Jessie CALDERON

NAME OF REPRESENTATIVE FOR DISABLED PERSON (If different from above):  
FRANK CALDERON

ADDRESS: 635 J" AVE NATIONAL CITY, 919 50-253

EMAIL: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

Please answer the following questions, which will assist Engineering staff, the Traffic Safety Committee, and your City Council in determining if you are qualified to have a blue curb disabled persons parking space placed in front of your residence. Please be informed that all blue curb parking spaces are considered public parking. Therefore, any registered vehicle in possession of a disabled persons placard or license plate is legally allowed to park in the blue curb space for up to 72 continuous hours.

- 1) Do you possess a valid disabled person's placard issued by the California Department of Motor Vehicles (DMV)? ☒ YES ☐ NO  
 If YES, please include a copy of the placard, which contains your name, address, placard number, and expiration date.
- 2) Does your residence have a garage? YES ☐ ☒ NO  
 If YES, is the garage large enough to park a vehicle (minimum of 20' x 12')? YES ☐ NO ☐
- 3) Does your residence have a driveway? YES ☐ ☒ NO  
 If YES, a) is the driveway large enough to park a vehicle? YES ☐ NO ☐  
 (minimum of 20' x 12')  
 b) Is the driveway level? YES ☐ NO ☐  
 c) Is the driveway sloped/inclined? YES ☐ NO ☐
- 4) Please write any additional comments here (optional).

MY WIFE NEED A TO GET  
AROUND



**DEPARTMENT OF MOTOR VEHICLES**

**PLACARD NUMBER:**

**DISABLED PERSON  
PLACARD IDENTIFICATION  
CARD/RECEIPT**

**EXPIRES: 06/30/2019**

**DATE ISSUED:**



*OFFICIAL SEAL*

This identification card or facsimile copy is to be carried by the placard owner. Present it to any peace officer upon demand. Immediately notify DMV by mail of any change of address. When parking, hang the placard from the rear view mirror, remove it from the mirror when driving.

**When your placard is properly displayed,  
you may park in or on:**

**TYPE: N1**

**TV: 92**

**CO: 37**

- \* Disabled person parking spaces (blue zones)
- \* Street metered zones without paying.
- \* Green zones without restrictions to time limits.
- \* Streets where preferential parking privileges are given to residents and merchants.

**DOB:**

**ISSUED TO**

**CALDERON JESSIE  
635 J AVE**

**NATIONAL CITY CA 91950**

**You may not park in or on:**

- \* Red, Yellow, White or Tow Away Zones.
- \* Cross-hatch marked spaces next to disabled person parking spaces.

**It is considered misuse to:**

- \* Display a placard unless the disabled owner is being transported.
- \* Display a placard which has been cancelled or revoked.
- \* Loan your placard to anyone, including family members.

**Purchase of fuel**

**(Business & Professions Code 13660):**

State law requires service stations to refuel a disabled person's vehicle at self-service rates, except self-service facilities with only one cashier.

Misuse is a misdemeanor (section 4461VC) and can result in cancellation or revocation of the placard, loss of parking privileges, and/or fines.

REMOVE FROM MIRROR BEFORE DRIVING VEHICLE

CALIFORNIA



WARNING: The illegal use of a disabled parking placard could result in a maximum fine of \$4,200.

PARKING PLACARD



DISABLED PERSON

EXPIRES JUNE 30

2010

PURCHASE OF FUEL (Business & Professions Code 16500)  
State law requires service stations to refuel a disabled person's vehicle at self-service rates, except at service facilities with only one employee on duty.



August 01, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-21

**REQUEST TO INSTALL A BLUE CURB DISABLED PERSONS PARKING SPACE  
WITH SIGNAGE IN FRONT OF THE RESIDENCE AT 635 "J" AVENUE.**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, August 9, 2017, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access to the 2<sup>nd</sup> Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-21.

Sincerely,

Stephen Manganiello  
City Engineer

SM:lz

Enclosure: Location Map

2017-21

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1234 National City Boulevard, National City, CA 91950-6530  
(619) 336-4380 Fax (619) 336-4397 [engineering@nationalcityca.gov](mailto:engineering@nationalcityca.gov)



## Location Map with Recommended Enhancements (TSC Item: 2017-21)







**Location of proposed blue curb disabled person's parking space in front of 635 "J" Avenue (looking north)**



**Location of proposed blue curb disabled person's parking space in front of 635 "J" Avenue (looking northeast)**

## **DISABLED PERSONS PARKING POLICY**

The purpose of a disabled persons parking zone is to provide designated parking spaces at major points of assembly for the exclusive use of physically disabled persons whose vehicle displays a distinguishing license plate as authorized by the California Department of Motor Vehicles.

The City Council may upon recommendation of the City Engineer, designate specially marked and posted on-street parking spaces for disabled persons pursuant to California Vehicle Code 21101, et seq. at the following facilities:

1. Government buildings serving the public such as administration buildings, public employment offices, public libraries, police stations, etc.
2. Hospitals and convalescent homes with more than 75-bed capacity.
3. Medical facilities and doctors' offices staffed by a maximum of five practitioners. Zones shall be located to serve a maximum number of facilities on one block.
4. Community service facilities such as senior citizens service centers, etc.
5. Accredited vocational training and educational facilities where no off-street parking is provided for disabled persons.
6. Employment offices for major enterprises employing more than 200 persons.
7. Public recreational facilities including municipal swimming pools, recreation halls, museums, etc.
8. Public theaters, auditoriums, meeting halls, arenas, stadiums with more than 300 seating capacity.
9. Other places of assembly such as schools and churches.
10. Commercial and/or office building(s) with an aggregate of more than 50,000 square feet of usable floor space. Zone shall be located to serve a maximum number of facilities on one block.
11. Hotels catering to daily guests, maintaining a ground floor lobby and a switchboard that is operated 24 hours per day.



12. A hotel or apartment house catering to weekly or monthly guests and containing more than 30 separate living units.

In addition, disabled persons parking spaces may be provided within all publicly owned, leased or controlled off-street parking facilities as specified in the General Requirements.

### **General Requirements**

Each disabled persons parking space shall be indicated by blue paint and a sign (white on blue) showing the international symbol of accessibility (a profile view of a wheelchair with occupant).

Where installed under the above criteria the total number of disabled persons curb parking spaces will be limited to 3% of the total number of on-street parking spaces available in the area and shall be distributed uniformly within the area.

Disabled persons parking will not be installed at locations with a full-time parking prohibition. When a disabled persons parking zone is installed where a part-time parking prohibition is in effect, the disabled persons parking zone will have the same time restrictions as the part-time parking prohibition.

The cost of installing disabled persons parking will be assumed by the City on public streets and public off-street parking facilities.

In establishing on-street parking facilities for the disabled there shall be a reasonable determination made that the need is of an on-going nature. The intent is to prevent the proliferation of special parking stalls that may be installed for a short-term purpose but later are seldom used. Unjustified installation of such parking stalls unnecessarily increases the City's maintenance and operations costs, reduce available on-street parking for the general public, and detract from the overall effectiveness of the disabled persons parking program.

### **Special Hardship Cases**

It is not the intention of the City to provide personal reserved parking on the public right-of-way, especially in residential areas. However, exceptions may be made, in special hardship cases, provided all of the following conditions exists:

- (1) Applicant (or guardian) must be in possession of valid license plates for "disabled persons" or "disabled veterans."
- (2) The proposed disabled parking space must be in front of the applicant's (or guardian's) place of residence.

- (3) Subject residence must not have useable off-street parking available or off-street space available that may be converted into disabled parking.

NOTE: It must be emphasized that such parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates may park in the above stalls.

Jha:p

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE INSTALLATION OF A BLUE CURB DISABLED  
PERSONS PARKING SPACE WITH SIGNAGE IN FRONT  
OF THE RESIDENCE AT 635 "J" AVENUE  
(TSC NO. 2017-21)

WHEREAS, a resident of 635 "J" Avenue, who possesses a valid disabled persons placard from the California Department of Motor Vehicles, has requested a blue curb disabled persons parking space in front of the residence; and

WHEREAS, after conducting an inspection and review, staff determined that all conditions have been met for the property to qualify for a blue curb handicap parking space; and

WHEREAS, on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to install a blue curb handicap parking space with signage in front of the residence at 635 "J" Avenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of a blue curb handicap parking space with signage in front of the residence at 635 "J" Avenue.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney



The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of a second blue curb disabled persons parking space with signage in front of the residence at 2121 Wilson Avenue (TSC No. 2017-22). (Engineering/Public Works)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the installation of a second blue curb disabled persons parking space with signage in front of the residence at 2121 Wilson Avenue (TSC No. 2017-22).

**PREPARED BY:** Luca Zappiello, Civil Engineering Tech

**PHONE:** 619-336-4360

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt a Resolution authorizing installation of a second blue curb disabled persons parking space with signage in front of the residence at 2121 Wilson Avenue.

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to install a second blue curb disabled persons parking space with signage in front of the residence at 2121 Wilson Avenue.

**ATTACHMENTS:**

1. Explanation w/ Exhibits
2. Staff Report to the Traffic Safety Committee on August 9, 2017 (TSC No. 2017-22)
3. Resolution

## **EXPLANATION**

Mr. Alejandro Sevilla, resident of 2121 Wilson Avenue, has requested a second blue curb disabled persons parking space in front of his residence, since both he and his wife Maria are disabled and possess valid disabled persons placards from the California Department of Motor Vehicles (see attached). Mrs. Maria Sevilla requested and was granted a blue curb disabled persons parking space back in early 2016 (TSC No. 2015-24 and Resolution No. 2016-10).

Staff visited the site and observed that Mr. Sevilla's residence does not have a driveway or garage. The residence is located on the east side of Wilson Avenue. Mr. Sevilla's residence is the only residence on Wilson Avenue between the W. 21st Street and W. 22nd Street. Staff measured the curb in front of the residence. There are approximately 36 feet of parking between the driveway of the business located at 2101 Wilson and the driveway of the empty lot adjacent to the property. The slope of Wilson Avenue in front of the residence is negligible.

The City Council has adopted a policy which is used to evaluate requests for disabled persons parking spaces. The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". This condition is met.
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. This condition is met.
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. This condition is met.

Since all three conditions of the City Council Disabled Persons Parking Policy for "Special Hardship" cases are met, staff recommend the installation of a second blue curb disabled persons parking space with signage at 2121 Wilson Avenue.

This item was presented to the Traffic Safety Committee on August 9, 2017. Mr. Sevilla was present and spoke in support of the installation of a second blue curb disabled persons parking space in front of his residence.

The Traffic Safety Committee unanimously approved the staff recommendation to install a second blue curb disabled persons parking space with signage at 2121 Wilson Avenue. Staff reminded Mr. Sevilla that any person with a valid disabled persons license plate or placard may park in the blue curb parking space.

If approved by City Council, all work will be performed by City Public Works.



## Location Map with Recommended Enhancements (TSC Item: 2017-22)



## NATIONAL CITY TRAFFIC SAFETY COMMITTEE AGENDA REPORT FOR AUGUST 9, 2017

### ITEM NO. 2017-22

**ITEM TITLE:** **REQUEST TO INSTALL A SECOND BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE AT 2121 WILSON AVENUE.**

**PREPARED BY:** Luca Zappiello, Civil Engineering Technician  
Engineering & Public Works Department

**DISCUSSION:**

Mr. Alejandro Sevilla, resident of 2121 Wilson Avenue, has requested a second blue curb disabled persons parking space in front of his residence, since both he and his wife Maria are disabled and possess valid disabled persons placards from the California Department of Motor Vehicles (see attached). Mrs. Maria Sevilla requested and was granted a blue curb disabled persons parking space back in early 2016 (TSC No. 2015-24 and Resolution No. 2016-10).

Staff visited the site and observed that Mr. Sevilla's residence does not have a driveway or garage. The residence is located on the east side of Wilson Avenue. Mr. Sevilla's residence is the only residence on Wilson Avenue between the W. 21<sup>st</sup> Street and W. 22<sup>nd</sup> Street. Staff measured the curb in front of the residence. There are approximately 36 feet of parking between the driveway of the business located at 2101 Wilson and the driveway of the empty lot adjacent to the property. The slope of Wilson Avenue in front of the residence is negligible.

The City Council has adopted a policy which is used to evaluate requests for disabled persons parking spaces. The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met.*

It shall be noted that disabled persons parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates or placards may park in handicap spaces.

**STAFF RECOMMENDATION:**

Since all three conditions of the City Council Disabled Persons Parking Policy for "Special Hardship" cases are met, staff recommend the installation of a second blue curb disabled persons parking space with signage at 2121 Wilson Avenue.

**EXHIBITS:**

1. Disabled Persons Parking Request Form and Placard
2. Public Notice
3. Location Map
4. Photos
5. City Council Disabled Persons Parking Policy

2017-22



To Whom It May Concern:

Hello,

I am writing you to request that you please paint a Blue Disability Parking Zone on the curb near my house located on 2121 Wilson Ave, National City, California, 91950. My name is Alejandro Sevilla and I am a disabled person which makes it difficult for me to walk distances. Because the parking is very limited on my street, it is often very hard to me to find parking, which means that I usually will have to park very far from my house and then walk all of the way back to my house

the results. I currently have a Disabled Person Parking Placard

I have attached a photo copy of my Disabled Placard and Receipt. Please let me know if any other information is needed at this time.

Sincerely,

Alejandro Sevilla  
2121 Wilson Avenue  
National City, Ca 91950

*Alejandro Sevilla*

REQUEST FOR BLUE CURB DISABLED PERSONS PARKING SPACE

NAME OF DISABLED PERSON: ALEJANDRO SEVILLA

NAME OF REPRESENTATIVE FOR DISABLED PERSON (if different from above): \_\_\_\_\_

ADDRESS: 2121 WILSON AVENUE, NATIONAL CITY, CA 91950

EMAIL: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

Please answer the following questions, which will assist Engineering staff, the Traffic Safety Committee, and your City Council in determining if you are qualified to have a blue curb disabled persons parking space placed in front of your residence. Please be informed that all blue curb parking spaces are considered public parking. Therefore, any registered vehicle in possession of a disabled persons placard or license plate is legally allowed to park in the blue curb space for up to 72 continuous hours.

- 1) Do you possess a valid disabled person's placard issued by the California Department of Motor Vehicles (DMV)? ☒ YES ☐ NO

If YES, please include a copy of the placard, which contains your name, address, placard number, and expiration date.

- 2) Does your residence have a garage? ☐ YES ☒ NO

If YES, is the garage large enough to park a vehicle (minimum of 20' x 12') ☐ YES ☐ NO

- 3) Does your residence have a driveway? ☐ YES ☒ NO

If YES, a) Is the driveway large enough to park a vehicle? ☐ YES ☐ NO  
(minimum of 20' x 12')

b) Is the driveway level? ☐ YES ☐ NO

c) Is the driveway sloped/inclined? ☐ YES ☐ NO

- 4) Please write any additional comments here (optional).

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**DEPARTMENT OF MOTOR VEHICLES****PLACARD NUMBER:****EXPIRES: 06/30/2019****DATE ISSUED:**
**DISABLED PERSON  
PLACARD IDENTIFICATION  
CARD/RECEIPT**

This identification card or facsimile copy is to be carried by the placard owner. Present it to any peace officer upon demand. Immediately notify DMV by mail of any change of address. When parking, hang the placard from the rear view mirror, remove it from the mirror when driving.

**When your placard is properly displayed,  
you may park in or on:**

**TYPE: N1****TV: 92****CO: 37****DOB:****ISSUED TO**

**SEVILLA ALEJANDRO  
2121 WILSON AVE**

**NATIONAL CITY CA 91950**

- \* Disabled person parking spaces (blue zones)
- \* Street metered zones without paying.
- \* Green zones without restrictions to time limits.
- \* Streets where preferential parking privileges are given to residents and merchants.

**You may not park in or on:**

- Red, Yellow, White or Tow Away Zones.
- \* Crosshatch marked spaces next to disabled person parking spaces.

**It is considered misuse to:**

- Display a placard unless the disabled owner is being transported.
- Display a placard which has been cancelled or revoked.
- Loan your placard to anyone, including family members.



**Purchase of fuel  
(Business & Professions Code 13660):**

- \* State law requires service stations to refuel a disabled person's vehicle at self-service rates, except self-service facilities with only one cashier.

It is a misdemeanor (section 4461VC) and can result in cancellation or revocation of the placard, loss of parking privileges, and/or fines.

010  
DPP000 Rev(4/10)



**DEPARTMENT OF MOTOR VEHICLES  
DISABLED PERSON  
PLACARD IDENTIFICATION  
CARD/RECEIPT**

**PLACARD NUMBER:**  
**EXPIRES: 05/30/2019**  
**DATE ISSUED:**

This identification card or facsimile copy is to be carried by the placard owner. Present it to any peace officer upon demand. Immediately notify DMV by mail of any change of address. When parking, hang the placard from the rear view mirror, remove it from the mirror when driving.

**TYPE: N1**

**TV: 02**

**CG: 37**

**DQB:**

**ISSUED TO**

**SEVILLA MARIA TERESA  
2121 WILSON AVE**

**NATIONAL CITY CA 91938**

**When your placard is properly displayed,  
you may park in or on:**

- Disabled person parking spaces (blue zones)
- Street metered zones without paying.
- Green zones without restrictions to time limits.
- Streets where preferential parking privileges are given to residents and merchants.

**You may not park in or on:**

- Red, Yellow, White or Tow Away Zones.
- Crosshatch marked spaces next to disabled person parking spaces.

**It is considered misuse to:**

- Display a placard unless the disabled owner is being transported.
- Display a placard which has been cancelled or revoked.
- Loan your placard to anyone, including family members.

**Misuse is a misdemeanor (section 4461VC) and can result in cancellation or revocation of the placard, loss of parking privileges, and/or fines.**

**Purchase of fuel**

**(Business & Professions Code 13860):**

- State law requires service stations to refuel a disabled person's vehicle at self-service rates, except self-service facilities with only one cashier.

DMV  
DPP000 Rev 12



August 1, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-22

**REQUEST TO INSTALL A SECOND BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE AT 2121 WILSON AVENUE.**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, August 9, 2017, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access to the 2<sup>nd</sup> Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-22.

Sincerely,

Stephen Manganiello  
City Engineer

SM:lz

Enclosure: Location Map

2017-22

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1234 National City Boulevard, National City, CA 91950-6530  
(619) 336-4380 Fax (619) 336-4397 [engineering@nationalcityca.gov](mailto:engineering@nationalcityca.gov)



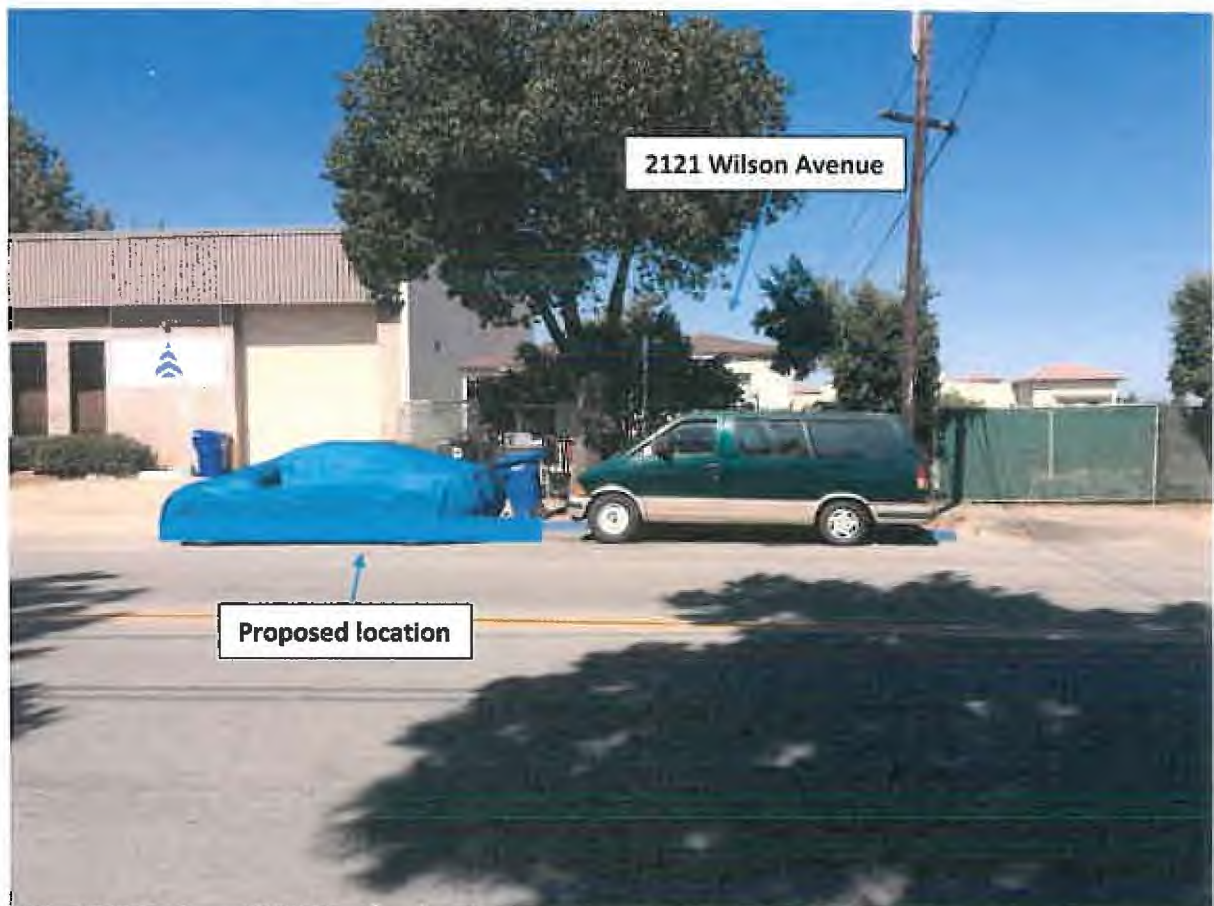
## Location Map with Recommended Enhancements (TSC Item: 2017-22)







**Location of proposed second blue curb disabled person's parking space in front of 2121 Wilson Avenue (looking south)**



**Location of proposed second blue curb disabled person's parking in front of 2121 Wilson Avenue (looking northeast)**

## **DISABLED PERSONS PARKING POLICY**

The purpose of a disabled persons parking zone is to provide designated parking spaces at major points of assembly for the exclusive use of physically disabled persons whose vehicle displays a distinguishing license plate as authorized by the California Department of Motor Vehicles.

The City Council may upon recommendation of the City Engineer, designate specially marked and posted on-street parking spaces for disabled persons pursuant to California Vehicle Code 21101, et seq. at the following facilities:

1. Government buildings serving the public such as administration buildings, public employment offices, public libraries, police stations, etc.
2. Hospitals and convalescent homes with more than 75-bed capacity.
3. Medical facilities and doctors' offices staffed by a maximum of five practitioners. Zones shall be located to serve a maximum number of facilities on one block.
4. Community service facilities such as senior citizens service centers, etc.
5. Accredited vocational training and educational facilities where no off-street parking is provided for disabled persons.
6. Employment offices for major enterprises employing more than 200 persons.
7. Public recreational facilities including municipal swimming pools, recreation halls, museums, etc.
8. Public theaters, auditoriums, meeting halls, arenas, stadiums with more than 300 seating capacity.
9. Other places of assembly such as schools and churches.
10. Commercial and/or office building(s) with an aggregate of more than 50,000 square feet of usable floor space. Zone shall be located to serve a maximum number of facilities on one block.
11. Hotels catering to daily guests, maintaining a ground floor lobby and a switchboard that is operated 24 hours per day.



12. A hotel or apartment house catering to weekly or monthly guests and containing more than 30 separate living units.

In addition, disabled persons parking spaces may be provided within all publicly owned, leased or controlled off-street parking facilities as specified in the General Requirements.

#### **General Requirements**

Each disabled persons parking space shall be indicated by blue paint and a sign (white on blue) showing the international symbol of accessibility (a profile view of a wheelchair with occupant).

Where installed under the above criteria the total number of disabled persons curb parking spaces will be limited to 3% of the total number of on-street parking spaces available in the area and shall be distributed uniformly within the area.

Disabled persons parking will not be installed at locations with a full-time parking prohibition. When a disabled persons parking zone is installed where a part-time parking prohibition is in effect, the disabled persons parking zone will have the same time restrictions as the part-time parking prohibition.

The cost of installing disabled persons parking will be assumed by the City on public streets and public off-street parking facilities.

In establishing on-street parking facilities for the disabled there shall be a reasonable determination made that the need is of an on-going nature. The intent is to prevent the proliferation of special parking stalls that may be installed for a short-term purpose but later are seldom used. Unjustified installation of such parking stalls unnecessarily increases the City's maintenance and operations costs, reduce available on-street parking for the general public, and detract from the overall effectiveness of the disabled persons parking program.

#### **Special Hardship Cases**

It is not the intention of the City to provide personal reserved parking on the public right-of-way, especially in residential areas. However, exceptions may be made, in special hardship cases, provided all of the following conditions exists:

- (1) Applicant (or guardian) must be in possession of valid license plates for "disabled persons" or "disabled veterans."
- (2) The proposed disabled parking space must be in front of the applicant's (or guardian's) place of residence.



- (3) Subject residence must not have useable off-street parking available or off-street space available that may be converted into disabled parking.

NOTE: It must be emphasized that such parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates may park in the above stalls.

Jha:p

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE INSTALLATION OF A SECOND BLUE CURB  
DISABLED PERSONS PARKING SPACE WITH SIGNAGE  
IN FRONT OF THE RESIDENCE AT 2121 WILSON AVENUE  
(TSC NO. 2017-22)

WHEREAS, on February 2, 2016, the City Council adopted Resolution No. 2016-10 for the installation of a blue curb disabled persons parking space with signage at 2121 Wilson Avenue; and

WHEREAS, the owners have requests a second blue curb disabled persons parking space in front of the residence because both husband and wife are disabled and possess valid disabled persons placards from the California Department of Motor Vehicle; and

WHEREAS, after conducting an inspection and review, staff determined that all conditions have been met for the property to qualify for a second blue curb handicap parking space; and

WHEREAS, on August 9, 2017, the Traffic Safety Committee approved staff's recommendation to install a second blue curb handicap parking space with signage in front of the residence at 2121 Wilson Avenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of a second blue curb handicap parking space with signage in front of the residence at 2121 Wilson Avenue.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: National City Sales Tax Update Newsletter Fourth Quarter 2016. (Finance)



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

National City Sales Tax Update Newsletter – Fourth Quarter 2016

**PREPARED BY:** Ed Prendell, Budget Analyst

**PHONE:** 619-336-4332

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Ralento

**EXPLANATION:**

**NEWSLETTER SUMMARY**

National City's receipts from October through December were 6.0% above the fourth sales period in 2015. Excluding reporting aberrations, actual sales were up 3.4%.

The countywide use tax pool contributed the most to the overall improvement, though this gain was exaggerated by a onetime audit recovery from a business-industrial supplier.

New car sales also increased, aided by the largest dealer incentives available since 2009 as national automakers struggle to maintain market share. A new merchant lifted family apparel, while double payments from two specialty stores inflated results. Building and construction was the only major category to fall, but this loss was the result of a misallocation received last year. Absent this aberration, the sector would have otherwise posted a 9% gain amidst a vibrant regional construction market.

National City's voter approved Measure D added \$3,025,000 in revenue for the quarter, a 3.5% increase from last year.

Net of aberrations, taxable sales for all of San Diego County grew 2.6% over the comparable time period; the Southern California region was up 1.4%.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:** Mark Ralento **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Accept and file the newsletter.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

National City Sales Tax Update Newsletter – Fourth Quarter 2016

# Q4 2016



# National City Sales Tax *Update*

*First Quarter Receipts for Fourth Quarter Sales (October - December 2016)*

## National City In Brief

National City's receipts from October through December were 6.0% above the fourth sales period in 2015. Excluding reporting aberrations, actual sales were up 3.4%.

The countywide use tax pool contributed the most to the overall improvement, though this gain was exaggerated by a onetime audit recovery from a business-industrial supplier.

New car sales also increased, aided by the largest dealer incentives available since 2009 as national automakers struggle to maintain market share.

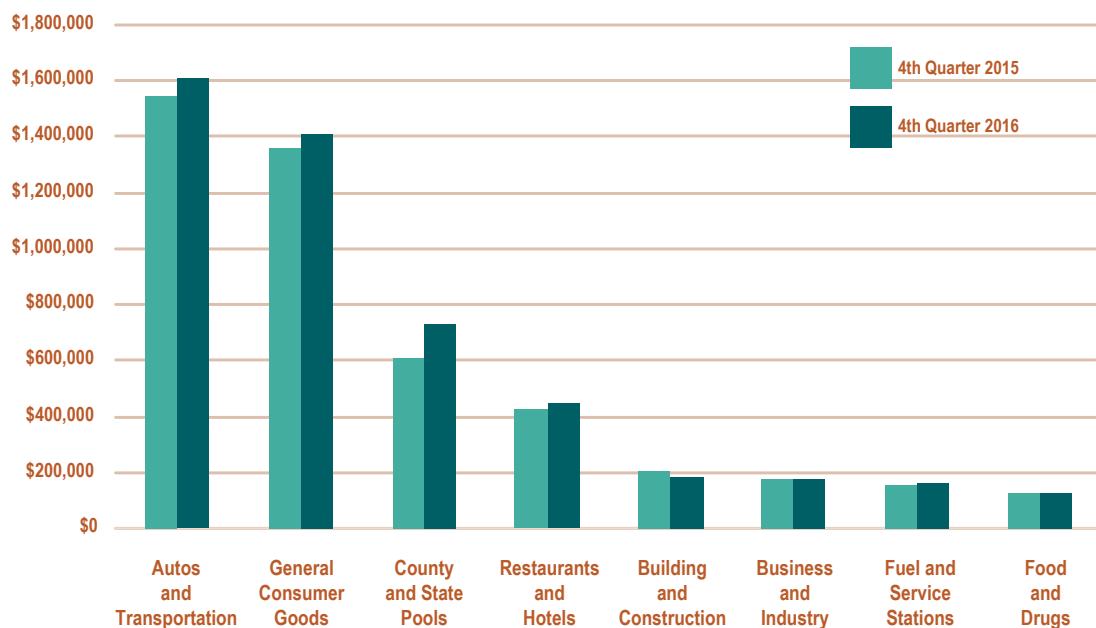
A new merchant lifted family apparel, while double payments from two specialty stores inflated results.

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National City's voter approved Measure D added \$3,025,000 in revenue for the quarter, a 3.5% increase from last year.

Net of aberrations, taxable sales for all of San Diego County grew 2.6% over the comparable time period; the Southern California region was up 1.4%.

## SALES TAX BY MAJOR BUSINESS GROUP



## TOP 25 PRODUCERS

IN ALPHABETICAL ORDER

Arco AM PM	Ron Baker Chevrolet
Ball Honda Acura	Ross
Mitsubishi Suzuki	South Bay
Kia	Volkswagen
Frank Hyundai	South County Buick
Frank Subaru	GMC
Frank Toyota Scion	Sweetwater Harley
H & M	Davidson
JC Penney	T Mobile
Macys	Target
Mossy Nissan	Toys R Us
Nordstrom Rack	USA Gasoline
Perry Chrysler	Victoria's Secret
Dodge Jeep Ram	Walmart
Perry Ford	Supercenter
Probuild	Wescott Mazda

## REVENUE COMPARISON

Three Quarters – Fiscal Year To Date

	2015-16	2016-17
Point-of-Sale	\$11,483,576	\$12,026,303
County Pool	1,637,318	1,891,167
State Pool	12,958	7,100
Gross Receipts	\$13,133,852	\$13,924,570
Less Triple Flip*	\$(3,283,463)	\$0
Measure D	\$8,054,265	\$8,468,870

## Statewide Results

Statewide sales tax receipts for the fourth quarter rose 1.5% over 2015, when excluding reporting aberrations.

The largest gain was in the county-wide use tax allocation pools due to the acceleration in online shopping where many of the orders are placed to, or shipped from, out-of-state fulfillment centers. Restaurant and auto sales closed the calendar year with strong results while receipts from general consumer goods were flat. Off-price apparel and dollar store gains offset declines in traditional department stores and warehouse retailers.

Business and industry receipts were down due to cutbacks in major energy projects; however, huge gains in warehouse fulfillment centers that fill in-state shipments from online orders somewhat negated the decline.

On an annual basis, the statewide gain ended 2.1% higher than calendar year 2015.

## The Shrinking, Disappearing Retail Store

Agencies dependent on traditional brick-and-mortar retail stores for a major portion of their sales tax will be facing new challenges in the coming year as merchants retrench and downsize to cope with a rapidly changing environment.

Generational preferences for experiences over merchandise, plus the growing costs of health care, education and housing, are reducing discretionary spending for taxable goods while time-challenged consumers are opting for the convenience of online shopping.

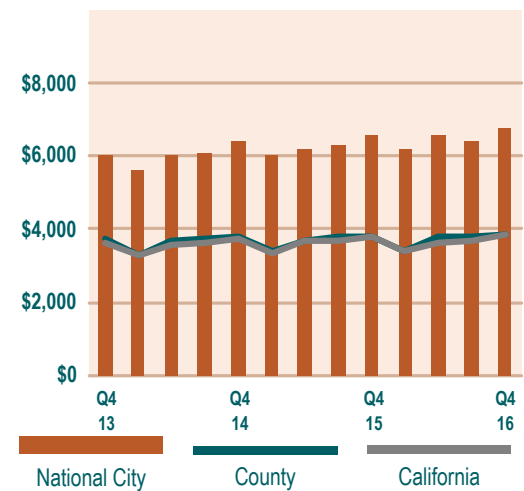
Online sales accounted for 13.0% of all general consumer goods purchased in 2016 with a 9.2% gain over calendar year 2015, while the growth in tax receipts from brick-and-mortar stores only grew 0.6%. The trend has been accelerated by the growing popularity of smart phones which Amazon estimates were used by nearly 70% of its shoppers during the most recent holiday quarter.

Retailers are responding by increasing their investment in mobile shopping platforms and delivery systems while pulling back investment on brick-and-mortar stores. Substantial closures are planned for 2017 while experiments with smaller stores, pick-up locations for online purchases, temporary “pop-up” shops and subleasing in-store space to others are on the rise.

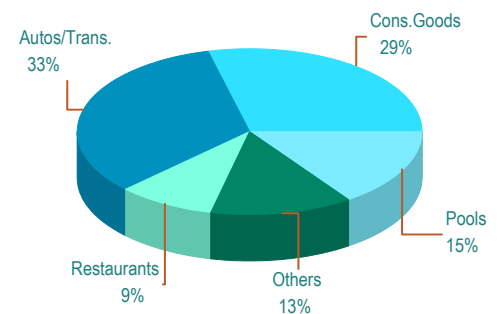
Mall operators are turning to grocers, fitness centers, medical services and residential components to fill vacant space and attract traffic. Smaller centers and downtown areas are responding by enhancing the shopping experience with more dining and entertainment options while local governments seek voter approval for higher levies to offset shrinking tax bases.

Stores are not in danger of disappearing. The ability to see, touch and feel, along with the overall shopping experience, will always be important. But evolving trends are requiring more focused economic strategies with better data and closer collaborations. The ultimate solution may be tax rates levied against today's economy rather than the one that existed when sales tax was first imposed in 1933.

## SALES PER CAPITA



## REVENUE BY BUSINESS GROUP National City This Quarter



## NATIONAL CITY TOP 15 BUSINESS TYPES

<i>*In thousands of dollars</i>				
Business Type	National City Q4 '16*	Change	County Change	HdL State Change
Auto Lease	75.9	5.1%	7.3%	9.8%
Building Materials	143.9	9.5%	2.6%	0.7%
Casual Dining	163.4	3.2%	1.6%	2.9%
Department Stores	229.7	-0.9%	-8.1%	-5.6%
Discount Dept Stores	— CONFIDENTIAL —		-3.0%	-0.6%
Electronics/Appliance Stores	95.9	9.1%	-4.0%	-1.3%
Family Apparel	268.1	6.8%	0.6%	4.7%
Jewelry Stores	54.4	-5.1%	-2.1%	0.3%
New Motor Vehicle Dealers	1,264.9	4.5%	4.1%	5.6%
Quick-Service Restaurants	233.0	4.0%	6.8%	5.7%
Service Stations	161.7	1.9%	2.3%	-1.0%
Shoe Stores	83.7	15.3%	10.5%	4.5%
Specialty Stores	154.2	16.3%	5.8%	3.6%
Used Automotive Dealers	93.5	-4.1%	12.3%	7.6%
Women's Apparel	104.7	-3.1%	-0.2%	-0.5%
<b>Total All Accounts</b>	<b>4,118.9</b>	<b>3.9%</b>	<b>2.5%</b>	<b>2.4%</b>
<b>County &amp; State Pool Allocation</b>	<b>730.6</b>	<b>19.5%</b>	<b>17.9%</b>	<b>6.9%</b>
<b>Gross Receipts</b>	<b>4,849.5</b>	<b>6.0%</b>	<b>4.6%</b>	<b>3.0%</b>



The following page(s) contain the backup material for Agenda Item: National City Sales Tax Update Newsletter First Quarter 2017. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

National City Sales Tax Update Newsletter – First Quarter 2017

**PREPARED BY:** Ed Prendell, Budget Analyst

**PHONE:** 619-336-4332

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Ralento

**EXPLANATION:**

**NEWSLETTER SUMMARY**

National City's receipts from January through March were flat compared to the first sales period in 2016.

Recent openings in family apparel and specialty stores boosted post-holiday receipts in general retail. New eateries in quick-service, casual dining and fast-casual restaurants lifted the restaurant-hotel group as a whole.

The rise in the countywide use tax allocation pool reflects the acceleration of online purchases and the increasing share of overall gross receipts compared to locally generated 'point of sale' revenue.

New auto sales trailed regional trends while auto lease revenue posted a double-digit gain over last year. Non-recurring events accounted for the decline in business to business sales activity.

Measure D, the city's voter-approved transactions tax, generated an additional \$2,573,000 reflecting growth in auto-related sectors, restaurants and service stations.

Net of aberrations, taxable sales for all of San Diego County grew 2.7% over the comparable time period; the Southern California region was up 2.0%.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:** Mark Ralento **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Accept and file the newsletter.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

National City Sales Tax Update Newsletter – First Quarter 2017

# Q1 2017



# National City Sales Tax *Update*

*Second Quarter Receipts for First Quarter Sales (January - March 2017)*

## National City In Brief

National City's receipts from January through March were flat compared to the first sales period in 2016.

Recent openings in family apparel and specialty stores boosted post-holiday receipts in general retail. New eateries in quick-service, casual dining and fast-casual restaurants lifted the restaurant-hotel group as a whole.

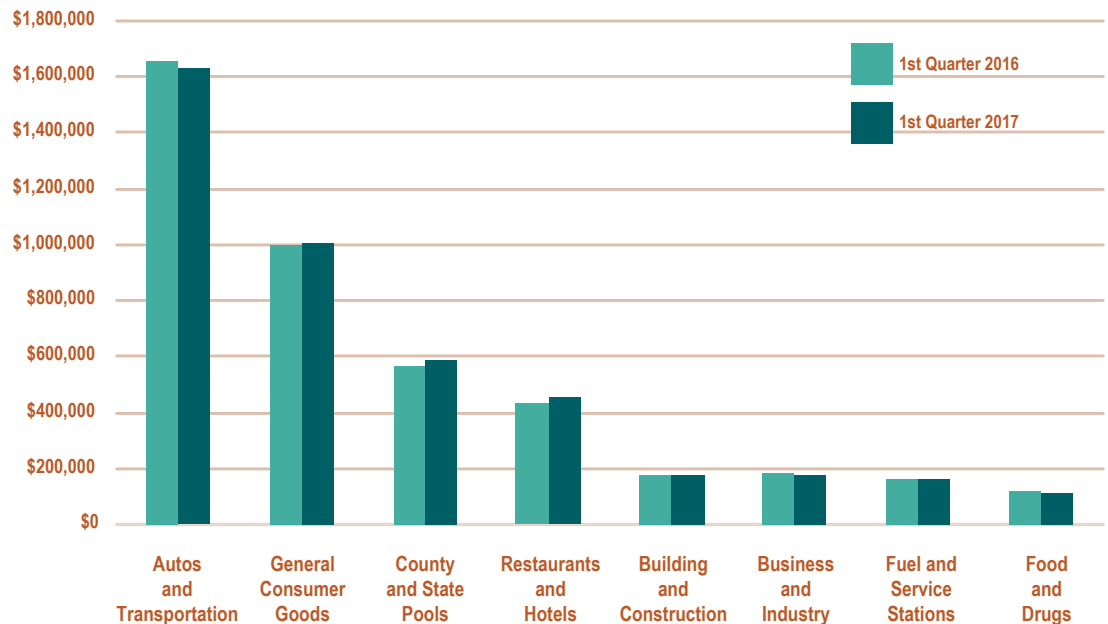
The rise in the countywide use tax allocation pool reflects the acceleration of online purchases and the increasing share of overall gross receipts compared to locally generated 'point of sale' revenue.

New auto sales trailed regional trends while auto lease revenue posted a double-digit gain over last year. Non-recurring events accounted for the decline in business to business sales activity.

Measure D, the city's voter-approved transactions tax, generated an additional \$2,573,000 reflecting growth in auto-related sectors, restaurants and service stations.

Net of aberrations, taxable sales for all of San Diego County grew 2.7% over the comparable time period; the Southern California region was up 2.0%.

## SALES TAX BY MAJOR BUSINESS GROUP



## TOP 25 PRODUCERS

IN ALPHABETICAL ORDER

Arco AM PM	Probuild Company
Ball Honda Acura	Ron Baker Chevrolet
Mitsubishi Suzuki	Ross
Kia	South Bay
Frank Hyundai	Volkswagen
Frank Subaru	South County Buick
Frank Toyota Scion	GMC
JC Penney	Sweetwater Harley
Macys	Davidson
Mor Furniture 4 Less	T Mobile
Mossy Nissan	Target
National City Auto Center	USA Gasoline
Nordstrom Rack	Walmart
Perry Chrysler	Supercenter
Dodge Jeep Ram	Wescott Mazda
Perry Ford	Westair Gases & Equipment

## REVENUE COMPARISON

Four Quarters – Fiscal Year To Date

	2015-16	2016-17
Point-of-Sale	\$15,228,977	\$15,750,345
County Pool	2,207,395	2,472,720
State Pool	10,515	12,425
Gross Receipts	\$17,446,887	\$18,235,491
Less Triple Flip*	\$(3,283,463)	\$0
Measure D	\$10,658,585	\$11,042,368



## Statewide Results

Local tax receipts from January through March sales were 2.1% higher than the first quarter of 2016 after factoring for accounting anomalies.

Rising fuel prices, auto sales, county use tax pool allocations and dining out added most to the overall gain. Some general consumer goods and B2B sales were flat or down.

This quarter reflects the start of an anticipated leveling off of future tax revenues. After seven years of recovery, analysts are reporting an end to the previous pent-up demand for autos. Demand for new cars will ease due to more buyers tied to long-term loans and a glut of used cars coming off lease.

Price competition and store closures have reduced tax receipts from consumer goods. Business investment remains strong but much of the growth is for non-taxable items such as cloud computing and large data solutions. Declines in foreign tourist visits and lower costs of eating at home are expected to slow the growth in restaurant sales.

## New Sales Tax Organization

As of July 1, the operating divisions responsible for allocation of tax revenues other than property, insurance and alcoholic beverages will shift from the State Board of Equalization (BOE) to the Governor's new Department of Tax and Fee Administration.

The BOE was first established by constitutional amendment in 1879 to oversee property tax assessment practices by all counties in the state. It eventually became responsible for other tax revenues including sales, insurance, corporate franchise and special fees.

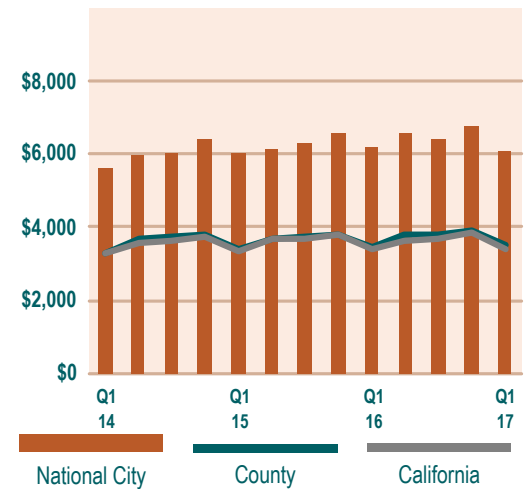
In 2011, HdL detected discrepancies in the BOE's allocation of public safety revenues which led to the recovery of over \$124 million in revenues for counties. Subsequent audits by the State

Controller and State Department of Finance revealed further shortcomings. The result was the passage of budget trailer bill SB86/AB102 that reduces the BOE to its previous constitutionally defined functions.

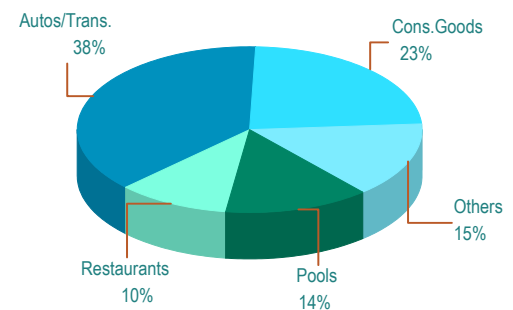
The BOE is also empowered to hear appeals and disputes over tax assessments including sales/use, personal income and corporate taxes and is the only elected Tax Board in the United States that hears tax disputes. Effective January 1, 2018, that function will be turned over to a new Office of Tax Appeals (OTA) composed of panels of administrative law judges appointed by the Governor with locations in Sacramento, Fresno and Los Angeles.

For functions other than the appeal process, this is primarily a reshuffling of existing personnel so the change will have little impact on local agencies. However, the issue of local government's ability to provide input regarding future policy and regulation changes that impact revenues remains under discussion. HdL will share more about the BOE transition as details become available in the weeks ahead.

## SALES PER CAPITA



## REVENUE BY BUSINESS GROUP National City This Quarter



## NATIONAL CITY TOP 15 BUSINESS TYPES

<i>*In thousands of dollars</i>				
Business Type	Q1 '17*	National City Change	County Change	HdL State Change
Auto Lease	89.5	14.5%	0.3%	1.7%
Auto Repair Shops	53.0	11.3%	2.1%	5.1%
Building Materials	138.0	-5.8%	-1.0%	3.1%
Casual Dining	169.6	1.3%	-2.2%	0.4%
Department Stores	127.3	-0.2%	-7.3%	-6.5%
Discount Dept Stores	— CONFIDENTIAL —		0.0%	1.6%
Electronics/Appliance Stores	85.8	-6.6%	-1.8%	-0.3%
Family Apparel	174.7	11.7%	-1.4%	0.8%
New Motor Vehicle Dealers	1,258.5	-3.9%	3.9%	4.4%
Quick-Service Restaurants	232.9	0.4%	4.7%	4.6%
Service Stations	166.0	2.2%	12.5%	9.9%
Shoe Stores	62.3	13.0%	-2.8%	-2.8%
Specialty Stores	106.2	12.7%	-2.9%	0.4%
Used Automotive Dealers	122.7	4.6%	0.9%	1.8%
Women's Apparel	70.3	-12.3%	-10.5%	-7.3%
<b>Total All Accounts</b>	<b>3,724.0</b>	<b>-0.6%</b>	<b>2.5%</b>	<b>1.8%</b>
<b>County &amp; State Pool Allocation</b>	<b>586.9</b>	<b>3.4%</b>	<b>6.6%</b>	<b>2.9%</b>
<b>Gross Receipts</b>	<b>4,310.9</b>	<b>0.0%</b>	<b>3.1%</b>	<b>1.9%</b>

The following page(s) contain the backup material for Agenda Item: Investment Report for the quarter ended June 30, 2017. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Investment Report for the quarter ended June 30, 2017.

**PREPARED BY:** Ronald Gutlay

**PHONE:** 619-336-4346

**DEPARTMENT:** Finance

**APPROVED BY:** 

**EXPLANATION:**

See attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

See attached staff report.

**APPROVED:** 

**FINANCE**

**APPROVED:** \_\_\_\_\_

**MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Accept and File the Investment Report for the Quarter ended June 30, 2017.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Staff Report
2. Investment Listings





## City Council Staff Report

September 05, 2017

### ITEM

Staff Report: Investment Report for the quarter ended June 30, 2017.

### BACKGROUND

The California Government Code (§ 53646(b)) requires that, when the treasurer or the chief fiscal officer of a local agency renders to the legislative body of the agency a quarterly report on the agency's investment portfolio, such report shall include the following information regarding all securities, investments, and moneys held by the local agency:

- type of investment;
- issuer (bank or institution);
- date of maturity;
- dollar amount invested; and
- current market valuation as of the date of the report.

In addition, the Government Code (§ 53646(b)(2)) requires that the report state the City's compliance with its investment policy and include a statement regarding the ability of the local agency to meet its pool's ability to meet its expenditure requirements Code (§ 53646(b)(3)).

### OVERVIEW OF CITY INVESTMENTS

The City's pooled investment portfolio balance as of June 30, 2017 is summarized below and compared to the balance as of June 30, 2016.

Table 1

	6/30/2017	6/30/2016
<b>Book Value</b> <sup>1</sup>	70,617,167	64,222,021
<b>Market Value</b> <sup>2</sup>	70,689,724 <sup>3</sup>	64,426,236

(1) actual cost of investments

(2) amount at which the investments could be sold

(3) total includes deposits of \$12,300,000 plus investment gains since 3/31/2017

The California Treasurer's Local Agency Investment Fund ("LAIF") and The County of San Diego Pooled Money Fund comprise 57.94% of the City of National City's total investment portfolio (46.49% and 11.45%, respectively). These are liquid investment pools that allow participants to earn market rate returns, while retaining access to funds within 24 to 48 hours of a withdrawal request with no penalty. The remainder of the City's portfolio is composed of

investments that may be liquidated at any time. However, these investments likely do not provide the short liquidity (i.e., quick access to funds) of the pooled money funds, and liquidation/withdrawal of these investments is at the risk of loss and/or penalty to the City.

Summaries of the City's investment portfolio are illustrated below.

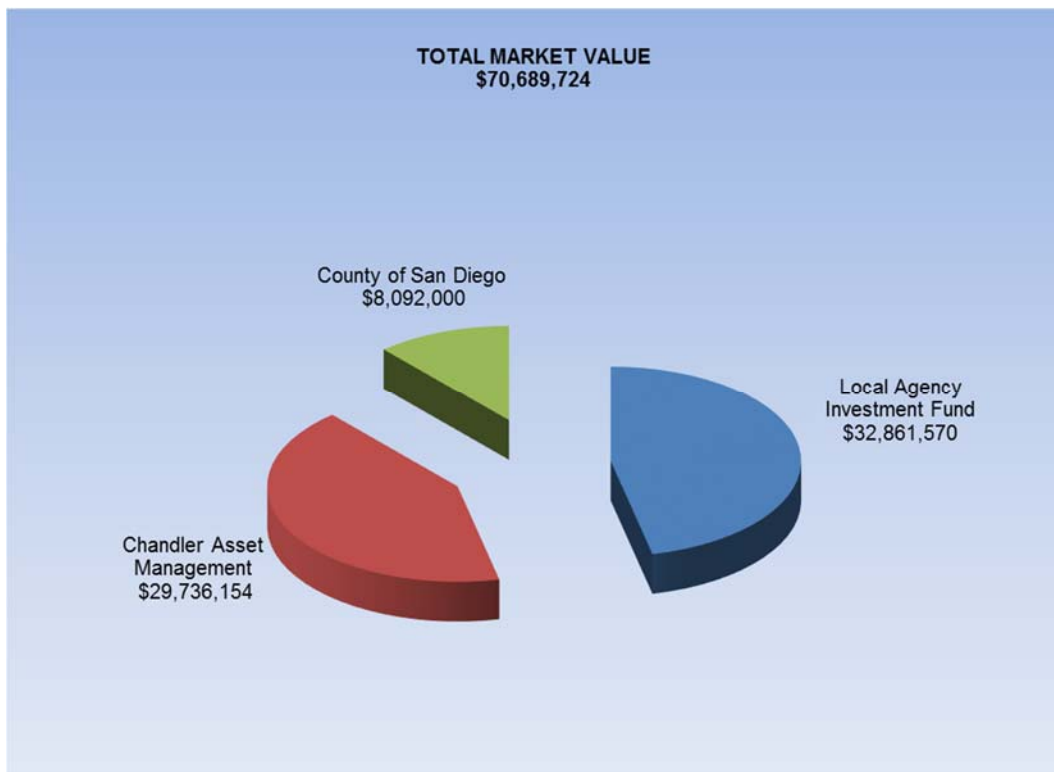
### INVESTMENT PORTFOLIO SUMMARY BY ISSUER/MANAGER

As of June 30, 2017

Table 2				
Issuer/Manager	Book Value	Total Market Value <sup>1</sup>	Market YTM	% of Portfolio
Local Agency Investment Fund	32,816,126	\$ 32,861,570 <sup>2</sup>	0.98%	46.49%
Chandler Asset Management	29,673,969	\$ 29,736,154	1.23%	42.07%
County of San Diego	8,127,072	\$ 8,092,000	1.28%	11.45%
<b>Totals for June 2017</b>	<b>70,617,167</b>	<b>70,689,724</b>		<b>100.00%</b>

1 includes accrued interest

2 calculated on 30/360 basis; includes LAIF participation factor of 0.998940671



## INVESTMENT PERFORMANCE BY ISSUER/MANAGER

### For the Quarter Ended June 30, 2017

Table 3

Total Market Value <sup>1</sup>					
Issuer/Manager	3/31/17	6/30/17	Change	Period Return	Yield (Net) <sup>5</sup>
Local Agency Investment Fund	\$ 30,491,028	\$ 32,861,570	\$ 2,370,541 <sup>2</sup>	0.23%	0.93%
Chandler Asset Management	22,676,169	29,736,154	\$ 7,059,985 <sup>3</sup>	0.29%	NA
County of San Diego	5,080,000	8,092,000	\$ 3,012,000 <sup>4</sup>	0.24%	0.94%
<b>Totals for June 30, 2017</b>	<b>\$ 58,247,197</b>	<b>\$ 70,689,724</b>	<b>\$ 12,442,526</b>	<b>0.76%</b>	<b>1.87%</b>

<sup>1</sup> includes accrued interest<sup>2</sup> Deposit 4/26/17 \$4,000,000, 5/9/17 \$1,800,000, 5/30/17 \$1,500,000; Withdrawal 6/28/17 \$5,000,000<sup>3</sup> Deposit 6/29/17 \$7,000,000<sup>4</sup> Deposit 6/29/17 \$3,000,000<sup>5</sup> Annualized

## COMPLIANCE STATEMENT

All of the City's investments are in compliance with the City's investment policy (City Council Policy No. 203) and the California Government Code (§ 53601 et seq).

## FINANCIAL STATEMENT

Realized and unrealized gains for the period, reflected below, were \$117,140. These changes include changes in security market values, gain or loss from the sale of assets, accrued interest, and reinvested interest/earnings.

Table 4

Issuer/Manager	Gain/(Loss)
Chandler Asset Management	22,534
County of San Diego	14,399
LAIF	80,207
<b>Totals for June 30, 2017</b>	<b>\$ 117,140</b>

The difference between the changes reflected in the previous two tables is attributable to the purchase and sale of securities for which the first of the tables accounts but the second table typically does not (unless an investment is sold before maturity).

## STAFF CERTIFICATION

Staff certifies that there are sufficient funds to meet the pool's expenditure requirements.

## RECOMMENDATIONS

Accept and file the Investment Report for the quarter ended June 30, 2017.



Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

July 17, 2017

PMIA Average Monthly Yields

Account Number:  
98-37-576

[Tran Type Definitions](#)

June 2017 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
6/28/2017	6/28/2017	RW	1540182	JAVIER CARCAMO	-5,000,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	37,816,125.94
Total Withdrawal:	-5,000,000.00	Ending Balance:	32,816,125.94

Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

June 19, 2017

PMIA Average Monthly Yields

Account Number:  
98-37-576

[Tran Type Definitions](#)

May 2017 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
5/9/2017	5/9/2017	RD	1536871	JAVIER CARCAMO	1,800,000.00
5/30/2017	5/30/2017	RD	1538216	JAVIER CARCAMO	1,500,000.00

Account Summary

Total Deposit:	3,300,000.00	Beginning Balance:	34,516,125.94
Total Withdrawal:	0.00	Ending Balance:	37,816,125.94

Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

May 25, 2017

PMIA Average Monthly Yields

Account Number:  
98-37-576

[Tran Type Definitions](#)

April 2017 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
4/14/2017	4/13/2017	QRD	1534027	SYSTEM	59,677.82
4/26/2017	4/26/2017	RD	1536047	JAVIER CARCAMO	4,000,000.00

Account Summary

Total Deposit:	4,059,677.82	Beginning Balance:	30,456,448.12
Total Withdrawal:	0.00	Ending Balance:	34,516,125.94





BETTY T. YEE  
California State Controller

LOCAL AGENCY INVESTMENT FUND  
REMITTANCE ADVICE

Agency Name	NATIONAL CITY
Account Number	98-37-576

As of 07/14/2017, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 06/30/2017.

Earnings Ratio		.00002531309414880
Interest Rate		0.92%
Dollar Day Total	\$	3,168,591,648.88
Quarter End Principal Balance	\$	32,816,125.94
Quarterly Interest Earned	\$	80,206.86



**State of California**  
**Pooled Money Investment Account**  
**Market Valuation**  
**6/30/2017**

Carrying Cost Plus				
Description	Accrued Interest Purch.	Amortized Cost	Fair Value	Accrued Interest
1* United States Treasury:				
Bills	\$ 13,692,767,254.60	\$ 13,728,751,205.31	\$ 13,719,815,500.00	NA
Notes	\$ 19,630,327,075.06	\$ 19,625,299,421.83	\$ 19,577,358,000.00	\$ 41,280,649.00
1* Federal Agency:				
SBA	\$ 882,589,733.26	\$ 882,570,192.18	\$ 872,312,288.85	\$ 926,565.11
MBS-REMICs	\$ 38,996,383.12	\$ 38,996,383.12	\$ 40,714,810.85	\$ 182,997.66
Debentures	\$ 1,239,486,796.46	\$ 1,239,125,268.67	\$ 1,235,188,600.00	\$ 2,639,104.30
Debentures FR	\$ -	\$ -	\$ -	\$ -
Debentures CL	\$ 150,000,000.00	\$ 150,000,000.00	\$ 149,687,000.00	\$ 77,152.50
Discount Notes	\$ 11,150,617,374.66	\$ 11,169,310,958.04	\$ 11,165,630,000.00	NA
GNMA	\$ -	\$ -	\$ -	\$ -
1* Supranational Debentures	\$ 349,845,968.23	\$ 349,845,968.23	\$ 348,153,000.00	\$ 891,562.00
1* Supranational Debentures FR	\$ 50,000,000.00	\$ 50,000,000.00	\$ 50,080,000.00	\$ 137,713.46
2* CDs and YCDs FR	\$ 625,000,000.00	\$ 625,000,000.00	\$ 625,000,000.00	\$ 1,178,642.35
2* Bank Notes	\$ 600,000,000.00	\$ 600,000,000.00	\$ 599,802,348.48	\$ 1,899,500.00
2* CDs and YCDs	\$ 14,675,000,000.00	\$ 14,675,000,000.00	\$ 14,669,085,986.46	\$ 28,253,569.48
2* Commercial Paper	\$ 8,224,098,486.16	\$ 8,237,153,416.71	\$ 8,235,998,611.13	NA
1* Corporate:				
Bonds FR	\$ -	\$ -	\$ -	\$ -
Bonds	\$ -	\$ -	\$ -	\$ -
1* Repurchase Agreements	\$ -	\$ -	\$ -	\$ -
1* Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits	\$ 5,604,740,000.00	\$ 5,604,740,000.00	\$ 5,604,740,000.00	NA
AB 55 & GF Loans	\$ 645,650,000.00	\$ 645,650,000.00	\$ 645,650,000.00	NA
TOTAL	\$ 77,559,119,071.55	\$ 77,621,442,814.09	\$ 77,539,216,145.77	\$ 77,467,455.86

Fair Value Including Accrued Interest

\$ 77,616,683,601.63

\* Governmental Accounting Standards Board (GASB) Statement #72

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (**0.998940671**). As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$19,978,813.41 or \$20,000,000.00 x **0.998940671**.

# Monthly Account Statement

## City of National City

June 1, 2017 through June 30, 2017

### Chandler Team

For questions about your account,  
please call (800) 317-4747 or  
Email [operations@chandlerasset.com](mailto:operations@chandlerasset.com)

### Custodian

Bank of New York Mellon  
Lauren Dehner  
(904)645-1918

***Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Prices are provided by IDC, an independent pricing source. In the event IDC does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.***





## Portfolio Summary

As of 6/30/2017

### PORTFOLIO CHARACTERISTICS

Average Duration	1.35
Average Coupon	1.07 %
Average Purchase YTM	1.13 %
Average Market YTM	1.23 %
Average S&P/Moody Rating	AA+/Aaa
Average Final Maturity	1.39 yrs
Average Life	1.38 yrs

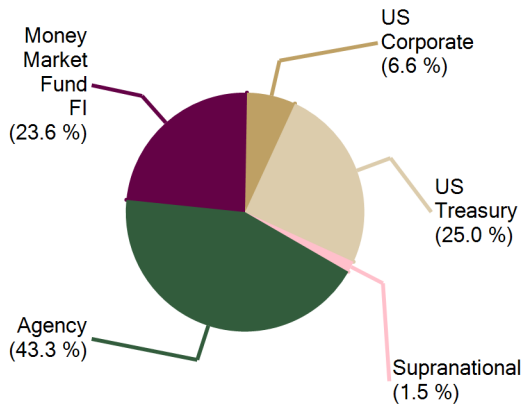
### ACCOUNT SUMMARY

	Beg. Values as of 5/31/17	End Values as of 6/30/17
<b>Market Value</b>	22,688,314	29,671,515
<b>Accrued Interest</b>	58,154	64,639
<b>Total Market Value</b>	<b>22,746,467</b>	<b>29,736,154</b>
<b>Income Earned</b>	22,320	22,534
<b>Cont/WD</b>		6,998,318
<b>Par</b>	22,741,708	29,748,964
<b>Book Value</b>	22,661,156	29,673,969
<b>Cost Value</b>	22,661,156	29,673,969

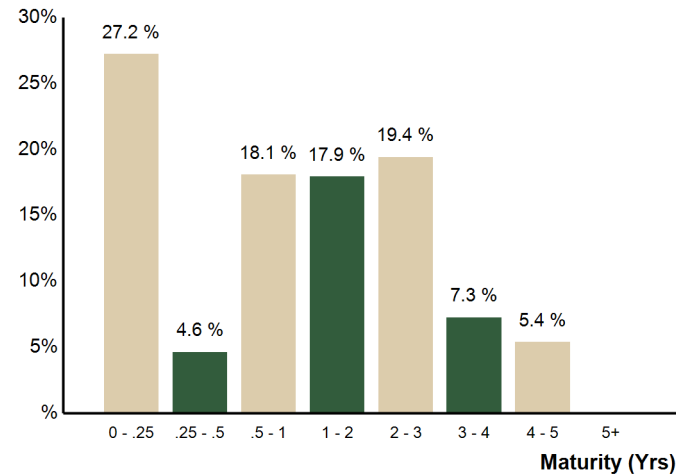
### TOP ISSUERS

Issuer	% Portfolio
Government of United States	25.0 %
Federated Govt Obligation Money	23.6 %
Federal National Mortgage Assoc	14.2 %
Federal Home Loan Bank	13.5 %
Federal Home Loan Mortgage Corp	10.9 %
Federal Farm Credit Bank	4.7 %
Intl Bank Recon and Development	1.5 %
Berkshire Hathaway	1.0 %
	<b>94.4 %</b>

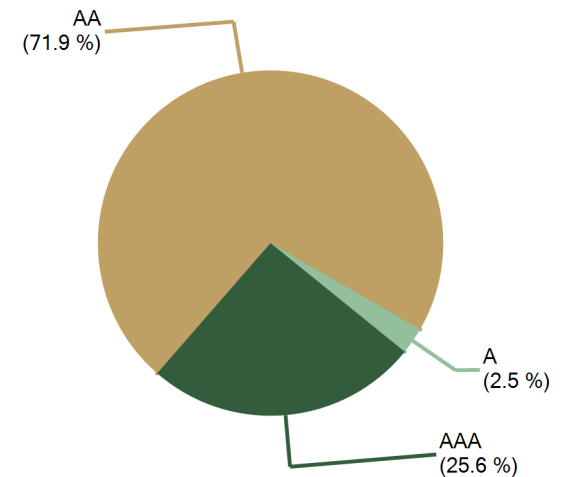
### SECTOR ALLOCATION



### MATURITY DISTRIBUTION



### CREDIT QUALITY (S&P)



### PERFORMANCE REVIEW

Total Rate of Return As of 6/30/2017	Current Month	Latest 3 Months	Year To Date	1 Yr	Annualized			Since 2/29/2012	Since 2/29/2012
					3 Yrs	5 Yrs	10 Yrs		
City of National City	-0.03 %	0.29 %	0.59 %	0.18 %	0.83 %	0.73 %	N/A	0.72 %	3.89 %
BAML 1-3 Yr US Treasury/Agency Index	-0.08 %	0.18 %	0.44 %	-0.08 %	0.70 %	0.64 %	N/A	0.63 %	3.41 %
BAML 1-3 Yr US Corporate/Govt Rated AAA-A Index	-0.05 %	0.26 %	0.60 %	0.15 %	0.85 %	0.85 %	N/A	0.84 %	4.57 %



**City of National City**  
June 30, 2017

**COMPLIANCE WITH INVESTMENT POLICY**

*Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.*

Category	Standard	Comment
Municipal Securities	BBB rated equivalent by a NRSRO or 4th highest general classification by a NRSRO; 30% maximum	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Supranationals	"AA" rated or higher by a NRSRO; 30% maximum; U.S. dollar denominated; Issued by: IBRD, IFC, IADB	Complies
Banker's Acceptances	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 40% maximum; 180 days max maturity;	Complies
Commercial Paper*	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 25% maximum; 270 days max maturity;	Complies
FDIC insured Time Deposits/ Certificates of Deposit	Amount per institution limited to the max covered under FDIC; 30% maximum combined certificates of deposit including CDARS	Complies
Negotiable Certificates of Deposit*	"A" rated or higher by at least two NRSROs; and/or have short term debt rated "A1" or higher by at least two NRSROs; 30% maximum	Complies
Medium Term Notes*	"A" rated or better by at least two NRSROs; 30% maximum; Issued by corporations organized and operating within the U.S.	Complies
*Combined exposure	10% combined total exposure to Commercial Paper, Negotiable Certificates of Deposit, and Medium Term Notes	Complies
Money Market Mutual Funds	AAA rated or equivalent by at least two NRSROs; 20% maximum; SEC registered with assets under management in excess of \$500 million	Complies*
Mortgage Pass-throughs, CMOs and Asset Backed Securities	"AA" rated or better by two NRSROs; "A" rated or higher for the issuer's debt by two NRSROs; 20% maximum	Complies
Local Agency Investment Fund - LAIF	maximum LAIF program; Currently not used by investment adviser	Complies
Prohibited Securities	Inverse floaters; Ranges notes; Interest-only strips from mortgaged backed securities; Zero interest accrual securities; Reverse Repurchase Agreements; Foreign currency denominated sec	Complies
Callable Securities	20% maximum (does not include "make whole call" securities)	Complies
Maximum Issuer	5% max (except US Government, its agencies and enterprises)	Complies
Maximum maturity	5 years	Complies

\*MMF concentration is at 23.6 due to a client contribution of \$7 million on 6/29/17. Portfolio Manager is working to get the additional funds invested.



## Income Earned

5/31/17 Thru 6/30/17

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
<b>Fixed Income</b>						
037833AQ3	Apple Inc Note 2.1% Due 05/06/2019	05/04/2016 05/09/2016 270,000.00	276,928.20 0.00 0.00 276,928.20	393.75 0.00 866.25 472.50	0.00 0.00 0.00 472.50	0.00 0.00 0.00 472.50
084670BL1	Berkshire Hathaway Note 2.1% Due 08/14/2019	01/26/2017 01/31/2017 285,000.00	287,815.80 0.00 0.00 287,815.80	1,778.88 0.00 2,277.63 498.75	0.00 0.00 0.00 498.75	0.00 0.00 0.00 498.75
166764AA8	Chevron Corp Callable Note Cont 11/5/17 1.104% Due 12/05/2017	05/19/2014 05/22/2014 260,000.00	259,703.60 0.00 0.00 259,703.60	1,403.31 1,435.20 207.31 239.20	0.00 0.00 0.00 239.20	0.00 0.00 0.00 239.20
3130A4GJ5	FHLB Note 1.125% Due 04/25/2018	Various Various 450,000.00	451,689.00 0.00 0.00 451,689.00	506.25 0.00 928.13 421.88	0.00 0.00 0.00 421.88	0.00 0.00 0.00 421.88
3130A7CV5	FHLB Note 1.375% Due 02/18/2021	10/13/2016 10/14/2016 490,000.00	490,960.40 0.00 0.00 490,960.40	1,927.67 0.00 2,489.13 561.46	0.00 0.00 0.00 561.46	0.00 0.00 0.00 561.46
3130A8PK3	FHLB Note 0.625% Due 08/07/2018	08/30/2016 08/31/2016 455,000.00	452,684.05 0.00 0.00 452,684.05	900.52 0.00 1,137.50 236.98	0.00 0.00 0.00 236.98	0.00 0.00 0.00 236.98
3130AABG2	FHLB Note 1.875% Due 11/29/2021	03/08/2017 03/09/2017 565,000.00	559,044.90 0.00 0.00 559,044.90	58.85 0.00 941.67 882.82	0.00 0.00 0.00 882.82	0.00 0.00 0.00 882.82
3133782M2	FHLB Note 1.5% Due 03/08/2019	05/28/2015 05/29/2015 440,000.00	443,207.60 0.00 0.00 443,207.60	1,521.67 0.00 2,071.67 550.00	0.00 0.00 0.00 550.00	0.00 0.00 0.00 550.00
313378A43	FHLB Note 1.375% Due 03/09/2018	09/17/2013 09/18/2013 470,000.00	464,472.80 0.00 0.00 464,472.80	1,472.01 0.00 2,010.56 538.55	0.00 0.00 0.00 538.55	0.00 0.00 0.00 538.55
313379DD8	FHLB Note Due 06/21/2017	03/14/2014 03/17/2014 0.00	566,553.75 0.00 566,553.75 0.00	2,511.11 2,825.00 0.00 313.89	0.00 0.00 0.00 313.89	0.00 0.00 0.00 313.89





## Income Earned

5/31/17 Thru 6/30/17

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
313379Q69	FHLB Note 2.125% Due 06/10/2022	06/20/2017 06/21/2017 600,000.00	0.00 607,110.00 0.00 607,110.00	0.00 (389.59) 743.75 354.16	0.00 0.00 0.00 354.16	0.00 354.16
313380FB8	FHLB Note 1.375% Due 09/13/2019	Various Various 540,000.00	536,816.60 0.00 0.00 536,816.60	1,608.75 0.00 2,227.50 618.75	0.00 0.00 0.00 618.75	0.00 618.75
3133EEJ50	FFCB Note 1.03% Due 05/11/2018	05/05/2015 05/11/2015 450,000.00	449,145.00 0.00 0.00 449,145.00	257.50 0.00 643.75 386.25	0.00 0.00 0.00 386.25	0.00 386.25
3133EFSJ7	FFCB Note 1.3% Due 12/14/2018	12/10/2015 12/14/2015 550,000.00	549,279.50 0.00 0.00 549,279.50	3,316.81 3,575.00 337.64 595.83	0.00 0.00 0.00 595.83	0.00 595.83
3133EFW52	FFCB Note 1.15% Due 07/01/2019	04/08/2016 04/11/2016 400,000.00	401,956.00 0.00 0.00 401,956.00	1,916.67 0.00 2,300.00 383.33	0.00 0.00 0.00 383.33	0.00 383.33
3135G0D75	FNMA Note 1.5% Due 06/22/2020	12/17/2015 12/21/2015 575,000.00	568,778.50 0.00 0.00 568,778.50	3,809.38 4,312.50 215.63 718.75	0.00 0.00 0.00 718.75	0.00 718.75
3135G0E33	FNMA Note 1.125% Due 07/20/2018	Various Various 450,000.00	449,689.56 0.00 0.00 449,689.56	1,842.19 0.00 2,264.06 421.87	0.00 0.00 0.00 421.87	0.00 421.87
3135G0E58	FNMA Note 1.125% Due 10/19/2018	09/14/2016 09/15/2016 395,000.00	397,010.55 0.00 0.00 397,010.55	518.44 0.00 888.75 370.31	0.00 0.00 0.00 370.31	0.00 370.31
3135G0MZ3	FNMA Note 0.875% Due 08/28/2017	08/15/2013 08/20/2013 545,000.00	535,429.80 0.00 0.00 535,429.80	1,231.93 0.00 1,629.32 397.39	0.00 0.00 0.00 397.39	0.00 397.39
3135G0N82	FNMA Note 1.25% Due 08/17/2021	01/26/2017 01/31/2017 440,000.00	425,444.80 0.00 0.00 425,444.80	1,588.89 0.00 2,047.22 458.33	0.00 0.00 0.00 458.33	0.00 458.33
3135G0RT2	FNMA Note 0.875% Due 12/20/2017	07/31/2015 07/31/2015 350,000.00	350,044.80 0.00 0.00 350,044.80	1,369.62 1,531.25 93.58 255.21	0.00 0.00 0.00 255.21	0.00 255.21



## Income Earned

5/31/17 Thru 6/30/17

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
3135G0TG8	FNMA Note 0.875% Due 02/08/2018	12/11/2013 12/12/2013 590,000.00	579,757.60 0.00 0.00 579,757.60	1,620.45 0.00 2,050.66 430.21	0.00 0.00 0.00 430.21	0.00 0.00 430.21
3135G0WJ8	FNMA Note 0.875% Due 05/21/2018	05/05/2015 05/06/2015 450,000.00	447,472.80 0.00 0.00 447,472.80	109.38 0.00 437.50 328.12	0.00 0.00 0.00 328.12	0.00 0.00 328.12
3135G0YT4	FNMA Note 1.625% Due 11/27/2018	08/31/2015 08/31/2015 440,000.00	446,141.96 0.00 0.00 446,141.96	79.44 0.00 675.28 595.84	0.00 0.00 0.00 595.84	0.00 0.00 595.84
3137EADK2	FHLMC Note 1.25% Due 08/01/2019	05/05/2015 05/06/2015 450,000.00	446,149.35 0.00 0.00 446,149.35	1,875.00 0.00 2,343.75 468.75	0.00 0.00 0.00 468.75	0.00 0.00 468.75
3137EADL0	FHLMC Note 1% Due 09/29/2017	09/23/2015 09/24/2015 525,000.00	527,709.00 0.00 0.00 527,709.00	904.17 0.00 1,341.67 437.50	0.00 0.00 0.00 437.50	0.00 0.00 437.50
3137EADM8	FHLMC Note 1.25% Due 10/02/2019	05/05/2015 05/06/2015 450,000.00	444,822.75 0.00 0.00 444,822.75	921.88 0.00 1,390.63 468.75	0.00 0.00 0.00 468.75	0.00 0.00 468.75
3137EADN6	FHLMC Note 0.75% Due 01/12/2018	07/28/2014 07/29/2014 490,000.00	480,954.59 0.00 0.00 480,954.59	1,418.96 0.00 1,725.21 306.25	0.00 0.00 0.00 306.25	0.00 0.00 306.25
3137EADP1	FHLMC Note 0.875% Due 03/07/2018	02/26/2015 02/27/2015 400,000.00	397,552.00 0.00 0.00 397,552.00	816.67 0.00 1,108.33 291.66	0.00 0.00 0.00 291.66	0.00 0.00 291.66
3137EADR7	FHLMC Note 1.375% Due 05/01/2020	08/24/2016 08/25/2016 455,000.00	460,332.60 0.00 0.00 460,332.60	521.35 0.00 1,042.71 521.36	0.00 0.00 0.00 521.36	0.00 0.00 521.36
3137EAEF2	FHLMC Note 1.375% Due 04/20/2020	04/27/2017 04/28/2017 460,000.00	457,741.40 0.00 0.00 457,741.40	720.35 0.00 1,247.43 527.08	0.00 0.00 0.00 527.08	0.00 0.00 527.08
36962G6K5	General Electric Capital Corp Note 1.6% Due 11/20/2017	11/24/2014 11/28/2014 270,000.00	272,208.60 0.00 0.00 272,208.60	132.00 0.00 492.00 360.00	0.00 0.00 0.00 360.00	0.00 0.00 360.00



# Income Earned

5/31/17 Thru 6/30/17

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
459058ER0	Intl. Bank Recon & Development Note 1% Due 10/05/2018	03/30/2016 03/31/2016 450,000.00	449,667.00 0.00 0.00 449,667.00	700.00 0.00 1,075.00 375.00	0.00 0.00 0.00 375.00	0.00 0.00 375.00
594918BF0	Microsoft Note 1.3% Due 11/03/2018	10/29/2015 11/03/2015 130,000.00	129,870.00 0.00 0.00 129,870.00	131.44 0.00 272.28 140.84	0.00 0.00 0.00 140.84	0.00 0.00 140.84
747525AG8	Qualcomm Inc Note 1.4% Due 05/18/2018	06/16/2015 06/19/2015 220,000.00	219,205.80 0.00 0.00 219,205.80	94.11 0.00 350.78 256.67	0.00 0.00 0.00 256.67	0.00 0.00 256.67
808513AK1	Charles Schwab Corp Callable Note Cont 2/10/2018 1.5% Due 03/10/2018	04/07/2015 04/10/2015 250,000.00	251,547.50 0.00 0.00 251,547.50	843.75 0.00 1,156.25 312.50	0.00 0.00 0.00 312.50	0.00 0.00 312.50
912828L32	US Treasury Note 1.375% Due 08/31/2020	08/30/2016 08/31/2016 240,000.00	242,475.80 0.00 0.00 242,475.80	833.97 0.00 1,102.99 269.02	0.00 0.00 0.00 269.02	0.00 0.00 269.02
912828L40	US Treasury Note 1% Due 09/15/2018	10/29/2015 11/02/2015 450,000.00	449,667.52 0.00 0.00 449,667.52	953.80 0.00 1,320.65 366.85	0.00 0.00 0.00 366.85	0.00 0.00 366.85
912828M98	US Treasury Note 1.625% Due 11/30/2020	11/29/2016 11/30/2016 570,000.00	568,331.99 0.00 0.00 568,331.99	25.31 0.00 784.53 759.22	0.00 0.00 0.00 759.22	0.00 0.00 759.22
912828Q37	US Treasury Note 1.25% Due 03/31/2021	04/27/2017 04/28/2017 375,000.00	369,024.69 0.00 0.00 369,024.69	794.06 0.00 1,178.28 384.22	0.00 0.00 0.00 384.22	0.00 0.00 384.22
912828Q78	US Treasury Note 1.375% Due 04/30/2021	05/25/2017 05/31/2017 500,000.00	494,650.11 0.00 0.00 494,650.11	601.09 0.00 1,164.62 563.53	0.00 0.00 0.00 563.53	0.00 0.00 563.53
912828S43	US Treasury Note 0.75% Due 07/15/2019	08/01/2016 08/02/2016 435,000.00	434,780.56 0.00 0.00 434,780.56	1,234.70 0.00 1,505.08 270.38	0.00 0.00 0.00 270.38	0.00 0.00 270.38
912828SD3	US Treasury Note 1.25% Due 01/31/2019	04/29/2015 04/30/2015 400,000.00	401,095.09 0.00 0.00 401,095.09	1,671.27 0.00 2,085.64 414.37	0.00 0.00 0.00 414.37	0.00 0.00 414.37





# Income Earned

5/31/17 Thru 6/30/17

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
912828ST8	US Treasury Note 1.25% Due 04/30/2019	Various Various 450,000.00	449,676.31 0.00 0.00 449,676.31	489.14 0.00 947.70 458.56	0.00 0.00 0.00 458.56	0.00 0.00 458.56
912828TH3	US Treasury Note 0.875% Due 07/31/2019	03/30/2016 03/31/2016 400,000.00	398,204.46 0.00 0.00 398,204.46	1,169.89 0.00 1,459.94 290.05	0.00 0.00 0.00 290.05	0.00 0.00 290.05
912828TW0	US Treasury Note 0.75% Due 10/31/2017	02/16/2016 02/17/2016 500,000.00	500,138.39 0.00 0.00 500,138.39	326.09 0.00 631.79 305.70	0.00 0.00 0.00 305.70	0.00 0.00 305.70
912828UB4	US Treasury Note 1% Due 11/30/2019	10/29/2015 11/02/2015 450,000.00	443,181.20 0.00 0.00 443,181.20	12.30 0.00 381.15 368.85	0.00 0.00 0.00 368.85	0.00 0.00 368.85
912828UL2	US Treasury Note 1.375% Due 01/31/2020	12/08/2016 12/09/2016 490,000.00	489,312.58 0.00 0.00 489,312.58	2,252.04 0.00 2,810.39 558.35	0.00 0.00 0.00 558.35	0.00 0.00 558.35
912828UU2	US Treasury Note 0.75% Due 03/31/2018	09/03/2014 09/04/2014 520,000.00	510,637.68 0.00 0.00 510,637.68	660.66 0.00 980.33 319.67	0.00 0.00 0.00 319.67	0.00 0.00 319.67
912828UV0	US Treasury Note 1.125% Due 03/31/2020	05/25/2016 05/27/2016 400,000.00	398,423.22 0.00 0.00 398,423.22	762.30 0.00 1,131.15 368.85	0.00 0.00 0.00 368.85	0.00 0.00 368.85
912828UZ1	US Treasury Note 0.625% Due 04/30/2018	Various Various 415,000.00	411,180.30 0.00 0.00 411,180.30	225.54 0.00 436.99 211.45	0.00 0.00 0.00 211.45	0.00 0.00 211.45
912828VK3	US Treasury Note 1.375% Due 06/30/2018	02/26/2015 02/27/2015 400,000.00	402,954.47 0.00 0.00 402,954.47	2,309.39 2,750.00 14.95 455.56	0.00 0.00 0.00 455.56	0.00 0.00 455.56
912828XK1	US Treasury Note 0.875% Due 07/15/2018	07/31/2015 07/31/2015 450,000.00	448,560.10 0.00 0.00 448,560.10	1,490.16 0.00 1,816.47 326.31	0.00 0.00 0.00 326.31	0.00 0.00 326.31
94974BFG0	Wells Fargo Corp Note 1.5% Due 01/16/2018	11/24/2014 11/28/2014 270,000.00	269,365.50 0.00 0.00 269,365.50	1,518.75 0.00 1,856.25 337.50	0.00 0.00 0.00 337.50	0.00 0.00 337.50



## Income Earned

5/31/17 Thru 6/30/17

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
			22,609,448.13	58,153.61	0.00	
			607,110.00	16,039.36	0.00	
			566,553.75	64,639.43	0.00	0.00
<b>TOTAL Fixed Income</b>		<b>22,725,000.00</b>	<b>22,650,004.38</b>	<b>22,525.18</b>	<b>22,525.18</b>	<b>22,525.18</b>
<b>Cash &amp; Equivalent</b>						
60934N807	Federated Investors Govt Oblig Fund Inst.		51,707.69	0.00	0.00	
		06/21/2017	6,973,938.58	9.22	0.00	
		06/21/2017	1,681.99	0.00	0.00	0.00
		7,023,964.28	7,023,964.28	9.22	9.22	9.22
			51,707.69	0.00	0.00	
			6,973,938.58	9.22	0.00	
			1,681.99	0.00	0.00	0.00
<b>TOTAL Cash &amp; Equivalent</b>		<b>7,023,964.28</b>	<b>7,023,964.28</b>	<b>9.22</b>	<b>9.22</b>	<b>9.22</b>
			22,661,155.82	58,153.61	0.00	
			7,581,048.58	16,048.58	0.00	
			568,235.74	64,639.43	0.00	0.00
<b>TOTAL PORTFOLIO</b>		<b>29,748,964.28</b>	<b>29,673,968.66</b>	<b>22,534.40</b>	<b>22,534.40</b>	<b>22,534.40</b>



# COUNTY OF SAN DIEGO INVESTMENT POOL **TREASURY INVESTMENT RESULTS**

**JUNE**  
**2017**

County of San Diego Treasurer-Tax Collector | 1600 Pacific Hwy, San Diego, CA 92101 | [www.sdttc.com](http://www.sdttc.com)



# SUMMARY PORTFOLIO STATISTICS

## County of San Diego Pooled Money Fund As of June 30, 2017

	Par Value	Book Value	Market Value	% of Portfolio	Market Price	WAM	WAC	YTM	YTW	Accrued Interest	Unrealized Gain/Loss
Asset Backed Securities	182,327,183	182,209,837	182,056,407	2.03	99.852	811		1.337	1.337	79,223	(153,430)
Collateralized CDs	45,000,000	45,000,000	45,000,000	0.50	100.000	75		0.816	0.816	15,236	-
Commercial Paper Disc	2,373,000,000	2,364,735,356	2,355,746,045	26.33	99.273	94		1.302	1.302	-	(8,989,311)
FDIC CDs	849,500	849,500	849,500	0.01	100.000	67		0.695	0.695	769	-
Federal Agency - Step Up	360,945,000	360,945,000	357,439,334	4.02	99.029	1,552	40	1.942	1.394	1,499,977	(3,505,666)
Federal Agency Amer Callable	50,000,000	50,000,000	49,771,500	0.55	99.543	625	76	1.290	1.290	184,583	(228,500)
Federal Agency Berm Callable	558,435,000	558,392,883	556,549,135	6.22	99.662	806	57	1.446	1.446	1,481,194	(1,843,748)
Federal Agency Coupon Securities	990,000,000	992,116,081	986,914,660	11.05	99.697	742	26	1.244	1.244	3,227,449	(5,201,421)
Federal Agency Euro Callable	486,870,000	486,869,973	482,649,250	5.42	99.133	753	91	1.226	1.226	1,451,755	(4,220,723)
Money Market Accounts	365,300,000	365,300,000	365,300,000	4.07	100.000	1		0.690	0.690	49,720	-
Negotiable CDs	2,168,500,000	2,168,504,961	2,168,500,000	24.14	100.000	125		1.282	1.282	7,269,629	(4,961)
Supranational Callable	216,350,000	216,041,365	214,322,430	2.41	99.063	828	112	1.298	1.298	463,657	(1,718,935)
Supranationals	419,500,000	418,711,229	417,111,760	4.66	99.434	666		1.350	1.350	1,035,340	(1,599,469)
Treasury Coupon Securities	769,000,000	771,184,524	768,213,140	8.59	99.900	647		1.145	1.145	2,659,395	(2,971,384)
Totals for June 2017	8,986,076,683	8,980,860,709	8,950,423,161	100.00	99.605	417	54	1.283	1.261	19,417,928	(30,437,548)
Totals for May 2017	9,700,838,872	9,694,405,842	9,670,879,607	100.00	99.693	401	61	1.254	1.234	24,465,320	(23,526,235)
Change From Prior Month	(714,762,189)	(713,545,133)	(720,456,446)		(0.088)	16	(7)	0.029	0.027	(5,047,392)	(6,911,313)
Portfolio Effective Duration	1.02 years										
	Monthly		Fiscal Year		Calendar Year						
	Return	Annualized	To Date	Annualized	To Date	Annualized					
Book Value	0.103%	1.258%	0.103%	1.258%	0.594%	1.197%					
Market Value	0.104%	1.262%	0.104%	1.262%	0.595%	1.200%					

### Note

Yield to maturity (YTM) is the estimated rate of return on a bond given its purchase price, assuming all coupon payments are made on a timely basis and reinvested at this same rate of return to the maturity date.

Yield to call (YTC) is the estimated rate of return on a bond given its purchase price, assuming all coupon payments are made on a timely basis and reinvested at this same rate of return to the call date.

Yield to worst (YTW) is the lesser of yield to maturity or yield to call, reflecting the optionality of the bond issuer.

Yields for the portfolio are aggregated based on the book value of each security.

\* All Investments held during the month of June 2017 were in compliance with the Investment Policy dated January 1, 2017.

ORGL0046

## COSD General Ledger Activity Report

Run Date:07/20/17 10:26:14

Page: 1 of 3

Report Parameters :

Currency : USD

Fund Low : 44077

Fund High : 44077

Org Low :

Org High :

Dept :

Account Low :

Account High :

Period : JUN-17

Balance Type : Actual

ORGL0046

COSD General Ledger Activity Report  
Period JUN-17

Run Date 07/20/17 10:26:14

Page: 2 of 3

Org	SOURCE	CATEGORY	NAME	DESCRIPTION	LINE ITEM	SOURCE ITEM GL DATE	DEBITS	CREDITS
FUND : 44077	NATIONAL CITY INVESTMENT FUND							
ACCOUNT : 10100	CASH IN TREASURY							
						Beginning Balance :	5,127,072.40	
00000 DEFAULT	DART	DEPOSIT	444789 DEPOSIT USD	City of National City	444789	SYSTEM GENE 29-JUN-17	3,000,000.00	0.00
						Total :	3,000,000.00	0.00
						Ending Balance :	8,127,072.40	
ACCOUNT : 34100	FUND BALANCE AVAILABLE - ACTUAL BASIS					Beginning Balance :		5,090,049.69
						Total :	0.00	0.00
						Ending Balance :		5,090,049.69
ACCOUNT : 80100	RECEIPTS SCH TR & AGENCY					Beginning Balance :	0.00	
00000 DEFAULT	DART	DEPOSIT	444789 DEPOSIT USD	City of National City	444789	DART FORM L 29-JUN-17	0.00	3,000,000.00
						Total :	0.00	3,000,000.00
						Ending Balance :		3,000,000.00
ACCOUNT : 80468	INTEREST RECEIPTS					Beginning Balance :		37,022.71

Total : -----  
 0.00 0.00  
 Ending Balance : 37,022.71

Grand Total : -----  
 3,000,000.00 3,000,000.00

ORGL0046

COSD General Ledger Activity Report  
 Period JUN-17

Run Date 07/20/17 10:26:14  
 Page: 3 of 3

Org	SOURCE	CATEGORY	NAME	DESCRIPTION	LINE ITEM	SOURCE ITEM	GL DATE	DEBITS	CREDITS
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\*\*\*End Of Report\*\*\*



ORGL0046

## COSD General Ledger Activity Report

Run Date:08/15/17 14:26:30

Page: 1 of 2

Report Parameters :

Currency : USD

Fund Low : 44077

Fund High : 44077

Org Low :

Org High :

Dept :

Account Low :

Account High :

Period : JUL-17

Balance Type : Actual

ORGL0046

COSD General Ledger Activity Report

Period JUL-17

Run Date 08/15/17 14:26:30

Page: 2 of 2

Org	SOURCE	CATEGORY	NAME	DESCRIPTION	LINE ITEM	SOURCE ITEM GL DATE	DEBITS	CREDITS
FUND : 44077	NATIONAL CITY INVESTMENT FUND							
ACCOUNT : 10100	CASH IN TREASURY							
						Beginning Balance :	8,127,072.40	
00000 DEFAULT	MassAllocation	Cash Allocation	INTEREST CASH DISTRIBUT	INTEREST APPORTIONMENT		25-JUL-17	14,399.17	0.00
						Total :	14,399.17	0.00
						Ending Balance :	8,141,471.57	
ACCOUNT : 10750	DUE FROM / DUE TO - INTEREST APPORTIONMENT					Beginning Balance :	15,473.91	
00000 DEFAULT	MassAllocation	Cash Allocation	INTEREST CASH DISTRIBUT	Intracompany balancing		25-JUL-17	0.00	14,399.17
						Total :	0.00	14,399.17
						Ending Balance :	1,074.74	
ACCOUNT : 34100	FUND BALANCE AVAILABLE - ACTUAL BASIS					Beginning Balance :		8,142,546.31
						Total :	0.00	0.00
						Ending Balance :		8,142,546.31
						Grand Total :	14,399.17	14,399.17

\*\*\*End Of Report\*\*\*

The following page(s) contain the backup material for Agenda Item: Warrant Register #3 for the period of 07/12/17 through 07/18/17 in the amount of \$1,310,855.42. (Finance)



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #3 for the period of 07/12/17 through 07/18/17 in the amount of \$1,310,855.42.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 07/12/17 through 07/18/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Art D Nielsen Painting Inc	329883	61,380.00	Repairs at the Stein House

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

Warrant total - \$1,310,855.42.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Ratify warrants totalling \$1,310,855.42

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register #3



**WARRANT REGISTER #3**  
**7/18/2017**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
AQUA ADVENTURES INC	STAND UP PADDLE BOARDS	329882	7/18/17	11,418.75
ART D NIELSEN PAINTING INC	REPAIRS AT THE STEIN HOUSE	329883	7/18/17	61,380.00
BRIGHT GUARD LLC	SUNSCREEN DISPENSER FOR AQUATIC CENTER	329884	7/18/17	384.67
CALIFORNIA ASSOCIATION OF CODE	CACEO ANNUAL SEMINAR / NSD	329885	7/18/17	384.00
CALIFORNIA ASSOCIATION OF CODE	CACEO INVESTIGATIVE REPORT WRITING / NSD	329886	7/18/17	75.00
CALIFORNIA LOTBOOK INC	COPY OF PUBLIC RECORDS	329887	7/18/17	25.00
CLF WAREHOUSE INC	MOP#80331 AUTO PARTS / FLEET PW	329888	7/18/17	88.14
CLF WAREHOUSE INC	MOP#80331 AUTO SUPPLIES / FLEET PW	329889	7/18/17	29.61
COMMERCIAL AQUATIC SERVICE INC	MATERIALS - JJ LED LIGHTS / PW	329890	7/18/17	8,809.62
CSAC EXCESS INS AUTHORITY	PROPERTY INSURANCE	329891	7/18/17	1,556.00
DANIELS TIRE SERVICE	22 TIRES FOR VEHICLES / PW	329892	7/18/17	4,571.49
DISCOUNT SPECIALTY CHEMICALS	URATIC SALT REMOVER / PW	329893	7/18/17	473.77
ENTERPRISE FLEET MANAGEMENT	ENTERPRISE FLEET LEASE / JUNE 2017	329894	7/18/17	14,485.57
ESCROW CONCEPTS	DOWN PAYMENT DEPOSIT / 420 W. 21ST STREET	329895	7/18/17	1,000.00
EXPRESS PIPE AND SUPPLY CO INC	CITY WIDE PLUMBING PARTS & MATERIALS / PW	329896	7/18/17	10.47
FEDEX	SHIPPING SERVICES / HOUSING	329897	7/18/17	49.16
FERGUSON ENTERPRISES INC	MOP#45723 PLUMBING SUPPLIES / FACILITIES	329898	7/18/17	349.84
HAAKER EQUIPMENT COMPANY	WIRELESS HEADS MIC MUFF / WASTEWATER DIV	329899	7/18/17	4,467.89
HONEYWELL INTERNATIONAL INC	HEAT AND AIR CONDITIONING SERVICES	329900	7/18/17	3,798.55
IBARRA, G	REIMBURSEMENT FOR TRAINING / HOUSING	329901	7/18/17	301.27
IMPACT CANOPIES USA	RUBBER WEIGHTS FOR CANOPIES / CSD	329902	7/18/17	461.59
KENDALL PRODUCTS	NON-SLIP TILES FOR THE ADA SHOWERS IN TH	329903	7/18/17	276.79
KNOX SERVICES	GOVERNMENTAL PURPOSES	329904	7/18/17	78.75
LASER SAVER INC	MOP 45725 OFFICE SUPPLIES	329905	7/18/17	375.75
LEFORTS SMALL ENGINE REPAIR	MOP#80702 AUTO PARTS / FLEET PW	329906	7/18/17	236.81
LEGO EDUCATION NORTH AMERICA	LEGO SETS FOR TINY TOTS PROGRAM / CSD	329907	7/18/17	1,244.89
LIFEGUARD STORE INC	SHOWER CURTAINS AND HOOKS / CSD	329908	7/18/17	495.00
LOUNSBERY FERGUSON	MEMBERSHIP / CITY ATTORNEY'S OFFICE	329909	7/18/17	1,050.00
MARINE RESCUE PRODUCTS INC	WATERPROOF RADIO CASE & BINOCULARS / CSD	329910	7/18/17	227.10
MARLO'S AUTO SPECIALTIES	REMOVE AND REPAIR VEHICLE / PW	329911	7/18/17	3,410.00
MATTHEW DOLAN	REFUND OF T&A 90220 - ENG	329912	7/18/17	8,908.48
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST	329913	7/18/17	1,073.00
ORKIN	PEST CONTROL SERVICES MONTH OF APRIL 2017	329914	7/18/17	416.50
PACIFIC SAFETY CENTER	BACKHOE OPERATOR TRAINING CLASS - PW STA	329915	7/18/17	450.00
PLUMBERS DEPOT INC	CUT OFF SAW / PW	329916	7/18/17	3,885.94
PRO BUILD	MOP#45707 GENERAL SUPPLIES / PW	329917	7/18/17	637.14
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY SERVICES / PW	329918	7/18/17	169.56
RED WING SHOES STORE	SAFETY BOOTS / PW	329919	7/18/17	125.00
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION CPT/KALANKIEWICZ, SPRINGER	329920	7/18/17	138.00
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION CPT/FITCHHORN	329921	7/18/17	46.00
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION 11550/ACEVEDO, MARIOTA	329922	7/18/17	27.60
SDG&E	WASTEWATER - GAS & ELECTRIC UTILITIES	329923	7/18/17	7,496.27
SITEONE LANDSCAPE SUPPLY LLC	MOP#45720 PARK EQUIPMENT / PARKS PW	329924	7/18/17	55.69
STAPLES BUSINESS ADVANTAGE	MOP # 45704 OFFICE SUPPLIES / PD	329925	7/18/17	305.29
STAPLES BUSINESS ADVANTAGE	MOP #45704 - OFFICE SUPPLIES - CMO	329926	7/18/17	758.80
STAPLES BUSINESS ADVANTAGE	MOP # 45704 OFFICE SUPPLIES - SEC 8	329927	7/18/17	67.98
SWEETWATER AUTHORITY	WASTEWATER DIVISION WATER	329928	7/18/17	127.50
TERRA BELLA NURSERY INC	CUPANIOPSIS TREE / PW	329929	7/18/17	131.30
THE PUN GROUP LLP	INDEPENDENT A	329930	7/18/17	25,000.00
TOPECO PRODUCTS	MOP#63849 AUT	329931	7/18/17	26.52



**WARRANT REGISTER #3**  
**7/18/2017**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS / PW	329932	7/18/17	3,214.33
VALLEY INDUSTRIAL SPECIALTIES	MOP#46453 PLUMBING SUPPLIES / FACILITIES	329933	7/18/17	825.78
VISTA PAINT	MOP# 68834. PAINT SUPPLIES / NSD	329934	7/18/17	139.28
WEST MARINE PRODUCTS INC	LIFE JACKETS / CSD	329935	7/18/17	2,097.47
WEST PAYMENT CENTER	BOOKS / CITY ATTORNEY'S OFFICE	329936	7/18/17	528.47
<b>A/P Total</b>				<b>178,167.38</b>
<b>WIRED PAYMENTS</b>				
PAYCHEX BENEFIT TECHNOLOGIES	BENETRAC ESR SVCS BASE FEE JUL 2017	785832	7/14/17	507.00
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET JUNE 2017	934422	7/12/17	26,713.75
<b>SECTION 8 HAPS</b>				
	<b>Start Date</b>	<b>End Date</b>		
	7/12/2017	7/18/2017		<b>16,010.00</b>
<b>PAYROLL</b>				
<b>Pay period</b>	<b>Start Date</b>	<b>End Date</b>	<b>Check Date</b>	
15	7/4/2017	7/17/2017	7/26/2017	<b>1,089,457.29</b>
<b>GRAND TOTAL</b>				<b><u>\$ 1,310,855.42</u></b>



## **Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

### **FINANCE COMMITTEE**

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 5<sup>TH</sup> OF SEPTEMBER 2017.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Warrant Register #4 for the period of 07/19/17 through 07/25/17 in the amount of \$2,317,938.00. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #4 for the period of 07/19/17 through 07/25/17 in the amount of \$2,317,938.00.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 07/19/17 through 07/25/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
ACE Electric Inc	329939	138,239.39	El Toyon & Las Palmas Lighting Project
Dick Miller Inc	329958	133,007.07	Plaza Blvd Widening N Ave to I 805 Pjct
Portillo Concrete Inc	329978	593,247.74	Sewer Line Replacement Upsizing Pjct
South Bay Community Svcs	329989	50,143.72	Home Agreement / Expenditure Reimb
STC Traffic Inc	329995	271,203.76	Aquatic Center Cameras Project
The Bank of New York Mellon	873675	425,186.25	HUD Section 108 Loan Payment
Public Emp Retirement System	7202017	441,490.18	Service Period 6/20/17 – 07/03/17

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

Warrant total \$2,317,938.00.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:**    **INTRODUCTION** ☐    **FINAL ADOPTION** ☐

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$2,317,938.00

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register #4



## WARRANT REGISTER #4

7/25/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
HARRIS, R	ARREST AND CONTROL TRAINING / PD	329937	7/25/17	3,100.00
REGIONAL TRAINING CENTER	REGIONAL TRAINING CENTER	329938	7/25/17	550.00
ACE ELECTRIC INC	EL TOYON & LAS PALMAS LIGHTING PROJECT	329939	7/25/17	138,239.39
ADMINSURE INC	PROFESSIONAL SERVICES AUGUST 2017	329940	7/25/17	14,117.49
AGUIRRE, C	REIMBURSEMENT SOFTWARE / HOUSING	329941	7/25/17	99.99
AIR POLLUTION CONTROL DISTRICT	AIR POLLUTION CONTROL PERMIT FEES -ENG	329942	7/25/17	510.00
ASPEN RISK MANAGEMENT GROUP	RISK MANAGEMENT SVCS / JUNE 2017	329943	7/25/17	2,700.00
AT&T	T&A REFUND 90208 - ENG	329944	7/25/17	1,487.72
BANNER BANK	PLAZA BLVD WIDENING N AVE TO I805 RETENTION	329945	7/25/17	7,000.37
CALIFORNIA ASSOCIATION OF CODE	CACEO ANNUAL CONFERENCE / G IBARRA	329946	7/25/17	619.00
CALIFORNIA ELECTRIC SUPPLY	MOP#45698 ELECTRIC SUPPLIES - PW	329947	7/25/17	639.82
COMMERCIAL & INDUSTRIAL	ARTS BUILDING ROOF REPLACEMENT PROJECT	329948	7/25/17	49,391.92
COMMERCIAL AQUATIC SERVICE INC	SVC LABOR CHARGE - REPLACE STARTER	329949	7/25/17	310.50
COMMUNITY ROWING OF	LEARN-TO-ROW SUMMER CAMP CLASSES	329950	7/25/17	1,104.00
COUNTY OF SAN DIEGO	ARCC SAN DIEGO / HOUSING	329951	7/25/17	30.00
COUNTY OF SAN DIEGO	PARK SUMMER MOVIES - 08/12/17	329952	7/25/17	488.00
COURTESY AUTO OF ORANGE COUNTY	2017 DODGE DURANGO SXT RWD / FIRE	329953	7/25/17	26,843.90
CSULB FOUNDATION	TRAINING TUITION / KLOS / POLICE	329954	7/25/17	724.00
CWEA MEMBERSHIP	ANNUAL MEMBERSHIP RENEWAL / PW	329955	7/25/17	180.00
DANIEL F WARD III	MISS NATIONAL CITY EDUCATION PAGEANT 2017	329956	7/25/17	150.00
DANIELS TIRE SERVICE	TIRES FOR VEHICLES / PW	329957	7/25/17	1,039.36
DICK MILLER INC	PLAZA BLVD WIDENING N AVE TO I 805 PROJECT	329958	7/25/17	133,007.07
D-MAX ENGINEERING	NC STORM WATER SERVICES 2016-2017	329959	7/25/17	29,468.82
GARCIA, JOSE	REFUND / DENIED LICENSE FOR HOME OCCUPANT	329960	7/25/17	270.00
GEORGE WATERS	COOKIES FOR THE TINY TOT GRADUATION / CSD	329961	7/25/17	118.34
GRAINGER	MOP#65179 GENERAL SUPPLIES - PW	329962	7/25/17	412.09
INNOVATIVE CONSTRUCTION	DIVISION ST ROAD DIET PROJECT	329963	7/25/17	46,241.00
KIMLEY HORN AND ASSOC INC	SWEETWATER RIVER BIKEWAY PROJECT	329964	7/25/17	30,145.04
KLOS, F	TRAINING ADV SUB/KLOS	329965	7/25/17	1,409.00
LUCAS, M	MEDIC FEE REIMBURSEMENT	329966	7/25/17	242.50
MAINTEX INC	CITY WIDE JANITORIAL SUPPLIES & PARTS	329967	7/25/17	681.03
MASON'S SAW	MOP# 45729 LAWN SUPPLIES / PW	329968	7/25/17	767.95
MELODY WILLIAMMEE	CHAIR YOGA	329969	7/25/17	135.00
MEYERS NAVE	AMORTIZATION OF NON-CONFORMING USES	329970	7/25/17	1,190.00
NATIONAL CITY CAR WASH	CITY FLEET CAR WASHES / JUNE 2017	329971	7/25/17	542.99
NATIONAL CITY ELECTRIC	CITY WIDE ONSITE ELECTRICAL	329972	7/25/17	2,455.00
NATIONAL CITY TROPHY	MOP#66556 OFFICE SUPPLIES - PW	329973	7/25/17	83.20
NBS	LANDSCAPE MAINTENANCE DISTRICT QUARTERLY	329974	7/25/17	847.09
ORKIN	PEST CONTROL SERVICES	329975	7/25/17	416.50
ORTIZ, MARIO	REFUND / CITATION OVERPAYMENT	329976	7/25/17	80.00
PLUMBERS DEPOT INC	NOZZLES CHISEL	329977	7/25/17	227.29
PORTILLO CONCRETE INC	SEWER LINE REPLACEMENT UPSIZING PROJECT	329978	7/25/17	593,247.74
PRO BUILD	MOP# 45707 GENERAL SUPPLIES / PW	329979	7/25/17	1,988.38
PRO-TECH INDUSTRIES	DEODORANT BEADS - RESTROOMS	329980	7/25/17	174.71
PRUDENTIAL OVERALL SUPPLY	MOP# 45742 LAUNDRY SERVICES / PW	329981	7/25/17	1,240.22
RELY ENVIRONMENTAL	HAZARDOUS WASTE SERVICES	329982	7/25/17	5,028.00
SAN DIEGO UNION TRIBUNE	LEGAL NOTICE UNION TRIBUNE / HOUSING	329983	7/25/17	447.00
SANDAG	FY 2018 MEMBER AGENCY ASSESSMENTS-CMO/PD	329984	7/25/17	12,924.00
SASI	MONTHLY TRUS / DEBIT CHARGES	329985	7/25/17	135.50
SCST INC	PARADISE CREEK ED. PROJECT	329986	7/25/17	121.00





**WARRANT REGISTER #4**  
**7/25/2017**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SDG&E	WASTEWATER - GAS & ELECTRIC	329987	7/25/17	1,202.52
SMS CA INC METRO PCS	REFUND FOR TEMPORARY BANNER PERMIT	329988	7/25/17	1,975.00
SOUTH BAY COMMUNITY SERVICES	HOME AGREEMENT / EXPENDITURE REIMB	329989	7/25/17	50,143.72
SOUTH BAY MOTORSPORTS	R & M CITY VEHICLES	329990	7/25/17	727.20
SOUTHWESTERN COMMUNITY COLLEGE	LEARN TO SAIL SUMMER CAMPS AT THE NCAC / CSD	329991	7/25/17	2,600.00
SOUTHWESTERN COMMUNITY COLLEGE	FACILITY FEE FOR RECRUIT TRYOUTS / PD	329992	7/25/17	238.00
STANLEY ACCESS INC	CONTROL BOX FOR FACILITIES	329993	7/25/17	2,046.72
STAPLES BUSINESS ADVANTAGE	MOP STAPLES / PD	329994	7/25/17	11.26
STC TRAFFIC INC	AQUATIC CENTER CAMERAS PROJECT	329995	7/25/17	271,203.76
SWEETWATER AUTHORITY	WASTEWATER DIVISION WATER UTILITIES	329996	7/25/17	13.77
T MAN TRAFFIC SUPPLY	MOP#76666 TRAFFIC SUPPLIES / PW	329997	7/25/17	488.02
THE HOME DEPOT CREDIT SERVICES	SUPPLIES FOR PARKS DIVISION	329998	7/25/17	474.05
TRAINING INNOVATIONS INC	ANNUAL TMS SERVICE FEE FOR POLICE TRAINING	329999	7/25/17	750.00
U S BANK	CREDIT CARD CHARGES, FIRE	330000	7/25/17	462.74
URBAN LAND INSTITUTE	ULI MEMBERSHIP DUES - MEMBER ID 399209	330001	7/25/17	220.00
VALLEY INDUSTRIAL SPECIALTIES	MOP# 46453 ELECTRIC SUPPLIES / PW	330002	7/25/17	984.74
VARAGNOLO, LUIGIA	REFUND / CITATION DISMISSED	330003	7/25/17	25.00
VERIZON WIRELESS	VERIZON WIRELESS JUNE 2017	330004	7/25/17	898.56
WAXIE SANITARY SUPPLY	MIC NAT CORELESS / HAND TOWELS	330006	7/25/17	580.29
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES / PW	330007	7/25/17	2,722.77
WILLY'S ELECTRONIC SUPPLY	MOP SUPPLIES / MIS	330008	7/25/17	121.53
<b>A/P Total</b>				<b>1,451,261.57</b>
<b>WIRED PAYMENTS</b>				
THE BANK OF NEW YORK MELLON	HUD SECTION 108 LOAN PAYMENT	873675	7/20/17	425,186.25
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 06/20/17 - 07/03/17	7202017	7/20/17	441,490.18

**GRAND TOTAL**

**\$2,317,938.00**

## **Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

### **FINANCE COMMITTEE**

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 5<sup>TH</sup> OF SEPTEMBER 2017.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Public Hearing - First Reading on the introduction of an Ordinance of the City Council of the City of National City amending the National City Municipal Code by adding Chapter 2.55 establishing requirements regarding the adoption and amendment of the annu

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Public hearing on the introduction of an ordinance of the City Council of the City of National City amending the National City Municipal Code by adding Chapter 2.55 establishing requirements regarding the adoption and amendment of the annual budget of the City of National City.

**PREPARED BY:** Mark Roberts, Director of Finance  
**PHONE:** 619-336-4330

**DEPARTMENT:** Finance  
**APPROVED BY:** 


**EXPLANATION:**

With the exception of Section 53901, which requires the filing of budgets with the county auditor, and Section 7900 et seq, which establishes limits on appropriations, the California Government Code is silent on the manner in which cities must develop and administer their budgets. Therefore, it is incumbent upon cities to develop their own budget ordinances and policies, to ensure sound budgetary practices are followed. Currently, the City of National City does not have a comprehensive budget ordinance or policy.

The purpose of the proposed budget ordinance is to provide a framework for the effective administration of the City's finances and a foundation for the creation of a comprehensive budget policy. While, as noted above, the Government Code provides little guidance regarding city budgetary practices, it does dictate the most significant aspects of the county budgetary process, much of which is applicable to the city process. Therefore, the proposed ordinance incorporates elements from the California Government Code 29000 et seq regarding county budgets, modified, where necessary, to apply to the City of National City.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:**  **FINANCE**  
**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☒ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt the ordinance, amending the National City Municipal Code by adding Chapter 2.55 establishing requirements regarding the adoption and amendment of the annual budget of the City of National City.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Proposed Ordinance



ORDINANCE NO. 2007 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AMENDING TITLE 2 OF THE NATIONAL CITY MUNICIPAL CODE BY  
ADDING CHAPTER 2.55 PERTAINING TO FISCAL ADMINISTRATION  
TO ESTABLISH REQUIREMENTS FOR THE ADOPTION AND  
AMENDMENT OF THE ANNUAL BUDGET

BE IT ORDAINED by the City Council of the City of National City that Title  
2 of the National City Municipal Code is amended to add Chapter 2.55 as follows:

Section 1. The Table of Contents for Title 2 is amended as follows:

TITLE 2  
ADMINISTRATION

Chapters

2.01	City Manager
2.04	City Council
2.08	Removal of Appointive Officers
2.10	Ambulances
2.12	Fire Department
2.16	Finance Department
2.20	Department of Public Health
2.36	Officers' Salaries
2.42	Disposal of Surplus City Property
2.44	Unclaimed Property
2.48	Disaster Council
2.55	Annual Budget
2.60	Public Contracts and Purchasing System
2.62	Alternative Bid Procedures for Public Projects
2.64	Housing Authority and Community Development Commission
2.65	Property Acquisition by Eminent Domain
2.68	Retirement System
2.70	Reorganization
2.72	Term Limit for the Office of Mayor
2.74	Ethics Training

Section 2. Chapter 2.55 is hereby added to Title 2 of the National City Municipal Code to read as follows:

CHAPTER 2.55  
Fiscal Administration

Sections

- 2.55.010 Purpose and intent
- 2.55.020 Fiscal year
- 2.55.030 Preliminary budget
- 2.55.040 Adopted budget
- 2.55.050 Appropriations and transfers
- 2.55.060 Delegation of city manager budgetary powers and duties

2.55.010 Purpose and intent. In enacting this Chapter, it is the purpose and intent of the city council to establish requirements for the development, adoption, and maintenance of the city budget, and to set forth sound standards for the management of the city's assets.

2.55.020 Fiscal year. The city's fiscal year shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

2.55.030 Preliminary budget.

A. At least thirty days prior to the end of each fiscal year, the city manager shall submit the preliminary budget for the ensuing fiscal year to the city council at a regular city council meeting or other properly noticed public meeting of the city council.

B. Upon receipt of the preliminary budget, the city council may direct or authorize the city manager to make revisions to the same at any regular city council meeting or other properly noticed public meeting of the city council prior to adoption of the budget.

C. At a regular city council meeting, or other properly noticed public meeting of the city council at which the city manager presents the preliminary budget to the city council, any member of the public may appear and be heard regarding any item in the preliminary budget or for requests to include additional items.

2.55.040 Adopted budget.

A. After the city manager has made all revisions to the preliminary budget directed or authorized by the city council pursuant to subsection B of Section 2.55.030, but not later than June 30<sup>th</sup> of each year, the city council shall by resolution adopt the budget for the ensuing fiscal year as finally determined.

B. The resolution of adoption of the budget shall specify, at a minimum, the following:

1. appropriations by fund, budget unit, and category;
2. interfund transfers; and
3. estimated financing sources by fund available to meet the budget requirements.

C. The city council may set forth appropriations in greater detail than required in subsection B of this section and may authorize any additional controls for the administration of the budget as it deems necessary. The city council may delegate the authority to exercise said additional administrative controls to the city manager.

D. There shall be a schedule in or supporting the adopted budget document, or a separate ordinance or resolution, setting forth the number and classifications of positions approved by the city council.

E. The adoption of the budget may be accomplished by a resolution in which the adoption is effectuated by reference to the financing uses in the budget as finally determined, provided that the minimum requirements set forth in subsection B of this section are met in the budget document. If adopted by reference, the budget shall have the same effect as if the resolution of adoption had been accomplished by passage of the resolution in full in a manner provided by law.

F. A copy of the adopted budget shall be placed and shall remain on file with the city clerk where it shall be available for inspection.

G. In accordance with Government Code Sectionn53901, a copy of the adopted budget shall be filed with the county auditor within 60 days after the beginning of the City's fiscal year, and the annual budget shall be held on file by the county auditor where it shall be available for public inspection during reasonable business hours.

H. 1. If at the beginning of any fiscal year, the budget has not been adopted, the director of finance shall approve payments for the support of the various budget units in accordance with the following authorizations:

a. Except as otherwise provided in subsection 2, the totals in the preliminary budget as submitted by the city manager, less the amounts for capital assets, transfers out, and new permanent employee positions, are deemed appropriated until adoption of the budget. For the purposes of this subsection, the term "new permanent employee positions" does not include any employee position created in lieu of an employee position that has been abolished.

b. Amounts for capital assets, transfers out, and new permanent employee positions are deemed appropriated until the adoption of the budget if specifically approved by the city council.

c. If the preliminary budget has not been submitted to the city council because of an emergency as defined in Section 2.48.020, the amounts deemed appropriated for the new fiscal year shall be based upon the final adjusted budget of the preceding year, less the amounts for capital assets and transfers out unless specifically approved by the city council. For the purposes of this subsection, the term "final adjusted budget" includes the adopted budget, plus adjustments authorized by the city council and encumbrances.

2. Notwithstanding any other provision of this subsection, prior to the adoption of the budget, the city council may impose expenditure limitations that are more restrictive than those contained in this section.

2.55.050 Appropriations and transfers.

A. In accordance with Article XIIB of the Constitution of the State of California, the total annual appropriations subject to limitation of the city shall not exceed the appropriations limit of the city for the prior fiscal year adjusted for the change in the cost of living and the change in population, except as otherwise provided in Article XIIB of the Constitution of the State of California.

B. 1. Transfers and revisions to the adopted appropriations may be made as follows:

a. transfers and revisions resulting in an increase in the combined total of appropriations and transfers of any fund, by the approval of the city council.

b. between budget units within a fund, subject to the restriction of subsection 1 of this section, by the approval of the city manager.

2. The city manager is authorized to transfer monies up to the maximums set forth in the budget.

C. Any unencumbered balance remaining to the credit of any appropriation, except for those associated with capital assets, shall lapse at the end of the fiscal year and shall revert to the available balance of the fund from which appropriated.

D. The budget for each fund maintained by the city, including transfers and revisions made after adoption, shall be balanced. A balanced budget shall be defined as that for which financing uses do not exceed available funding sources.

2.55.060 Delegation of city manager budgetary powers and duties. The powers and duties assigned to the city manager by this chapter may be delegated.

Section 3. If any section, subsection, sentence, clause, or phrase of the ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause, or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney





The following page(s) contain the backup material for Agenda Item: Public Hearing - First Reading on the introduction of an Ordinance of the City Council of the City of National City amending Title 6 Section 6.04 of the National City Municipal Code regarding business tax rates to comply with current law, including 1) rev

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Public hearing on the introduction of an ordinance of the City Council of the City of National City amending Title 6 Section 6.04 of the National City Municipal Code regarding business tax rates to comply with current law, including 1) reverting gross receipts and flat business tax rates to those established by Ordinance No. 1606, enacted in 1977, correcting rate calculations where necessary; 2) repealing the Marginal Tax Rate Table; 3) repealing Appendix D to Ordinance No. 1606; and 4) refunding business taxes and associated applicable fees overpaid within the twelve months prior to the effective date of this ordinance.

**PREPARED BY:** Mark Roberts, Director of Finance

**PHONE:** 619-336-4330

**DEPARTMENT:** Finance

**APPROVED BY:** 

**EXPLANATION:**

See attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

See attached staff report.

**APPROVED:** 

**FINANCE**

**APPROVED:** \_\_\_\_\_

**MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION ☒ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

See attached staff report.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Staff Report
2. Proposed Ordinance



## **City Council Staff Report**

September 5, 2017

### **ITEM**

Staff Report: Public hearing on the introduction of an ordinance of the City Council of the City of National City amending Title 6 Section 6.04 of the National City Municipal Code regarding business tax rates to comply with current law, including 1) reverting gross receipts and flat business tax rates to those established by Ordinance No. 1606, enacted in 1977, correcting rate calculations where necessary; 2) repealing the Marginal Tax Rate Table; 3) repealing Appendix D to Ordinance No. 1606; and 4) refunding business taxes and associated applicable fees overpaid within the twelve months prior to the effective date of this ordinance.

### **BACKGROUND**

Persons or entities conducting business in the City are required by Chapter 6.04 of the Municipal Code to obtain a business license and pay a business tax on an annual basis. The amount of tax paid is based upon a percentage of annual gross receipts received by each business, or on the basis of flat tax rates for specific businesses. The applicable taxes for businesses based upon gross receipts appear in a table designated as Appendix A of Chapter 6.04 of the Municipal Code. The applicable taxes for specific businesses, based upon flat tax rates, are set forth in Sections 6.04.280, 6.04.310, 6.04.320, and 6.04.330 of Chapter 6.04 of the Municipal Code, and upon a table designated as Appendix B of Chapter 6.04 of the Code. Copies of the current Appendix A and Appendix B are attached.

Section 6.04.270 of the Municipal Code provides for the payment of a flat tax upon application for an initial business license; thereafter, with the exception of businesses covered under Sections 6.04.280, 6.04.310, and 6.04.330, the tax is based upon gross receipts. Pursuant to Section 6.04.280, even those businesses for which a flat tax is prescribed by Sections 6.04.280, 6.04.310, and 6.04.330 may instead elect to pay a tax based on gross receipts.

### **DISCUSSION**

Recently, it was determined by City staff that the process utilized for the last enactment of the business tax ordinance, which is the version of the ordinance that currently exists in the aforementioned sections of the Municipal Code and in Appendix A and Appendix B, would not meet current legal requirements. The proposed ordinance would amend these sections of the Municipal Code as well as Appendix A and Appendix B to comply with current law. The effect of the proposed ordinance, if approved, would reduce the business tax by approximately 30%, on average, for businesses required to pay the tax; and authorize refunds to businesses for the overpayment of business taxes and associated applicable fees paid during the twelve-month period prior to the effective date of this Ordinance, up to and including the effective date (overpayment is defined as the difference between what was actually paid and the proposed reduced tax and fees).



The amended versions of Appendix A and Appendix B, which have been re-designated Appendix B and Appendix C, respectively, are included within the proposed ordinance.

In addition to the issues arising from the ordinance enactment process, it has recently been determined that some of the dollar amounts in the gross receipts tax table were miscalculated. These miscalculations have been corrected in the proposed gross receipts tax table, Appendix B. To prevent this error from recurring, it is proposed that the Marginal Tax Rate Table, which was used in arriving at the erroneous calculations, and which was attached to an earlier ordinance (Ordinance No. 1606, enacted in 1977) be repealed. It is also recommended that Appendix D to Ordinance No. 1606, which explains the manner in which the amounts in the Marginal Tax Rate Table are calculated, be repealed.

Lastly, the “National Indices of Ability to Pay and Tax Classification by Industry,” upon which the classification of businesses in Chapter 6.04 is based, is attached to the proposed ordinance as Appendix A. The classification to which a business belongs is one of the factors used to determine the amount of tax payable under the gross receipts tax table.

## **FISCAL IMPACT**

The discrepancies in the aforementioned Municipal Code provisions have, in some cases, resulted in an overpayment of business taxes by affected businesses. Accordingly, the proposed ordinance includes a section providing that upon submittal of a claim for refund, the Director of Finance shall refund the amount of any business tax paid which exceeds the amount of business tax specified in the ordinance. As required by law, the proposed ordinance further provides that refunds would be made for business taxes paid during the one year period prior to the effective date of the ordinance. The estimated impact of the initial refunding of overpaid business taxes and fees is estimated to be approximately \$200,000. Thereafter, the annual impact of the reduction in business taxes is estimated at \$200,000.

## **RECOMMENDATION**

Adopt the ordinance, amending Title 6 Section 6.04 of the National City Municipal Code regarding business tax rates to comply with current law, including:

- reverting gross receipts business tax rates (table, Appendix B) and flat business tax rates (table, Appendix C) to those established by Ordinance No. 1606, enacted in 1977, correcting gross receipts tax table calculations where necessary;
- repealing the Marginal Tax Rate Table;
- repealing Appendix D to Ordinance No. 1606; and
- refunding business taxes and associated applicable fees overpaid within the twelve months prior to the effective date of this ordinance.

## **ATTACHMENT**

Proposed Ordinance

ORDINANCE NO. 2017 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 6 SECTION 6.04 OF THE NATIONAL CITY MUNICIPAL CODE REGARDING BUSINESS TAX RATES TO COMPLY WITH CURRENT LAW, INCLUDING 1) REVERTING GROSS RECEIPTS AND FLAT BUSINESS TAX RATES TO THOSE ESTABLISHED BY ORDINANCE NO. 1606, ENACTED IN 1977, CORRECTING RATE CALCULATIONS WHERE NECESSARY; 2) REPEALING THE MARGINAL TAX RATE TABLE; 3) REPEALING APPENDIX D TO ORDINANCE NO. 1606; AND 4) REFUNDING BUSINESS TAXES AND ASSOCIATED APPLICABLE FEES OVERPAID WITHIN THE TWELVE MONTHS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED by the City Council of the City of National City as follows:

Section 1. That Section 6.04.270 of the National City Municipal Code is hereby amended to read as follows:

6.04.270 Initial business tax. Unless exempted or taxed on a flat rate basis pursuant to Section 6.04.310, 6.04.320, or 6.04.330, a person making application for the initial business tax license for a newly established business is required to pay a first year's tax of ~~fifty~~ twenty dollars, ~~(\$520)~~, the minimum annual tax, prorated by quarter. Upon making application in the following (second) year, that second year's tax due will be based upon the actual gross receipts for the first year. For all future years thereafter, the person will pay the tax based upon the gross receipts for the preceding year.

Section 2. That Section 6.04.280 of the National City Municipal Code is hereby amended to read as follows:

6.04.280 Computation of total business tax based on gross receipts.  
A. The total business tax levied by this section shall be determined by the business tax rate classification schedule by business class (see Section 6.04.030(B) and Appendix A) and the corresponding tax on the gross receipts of that business as set forth in Appendix B ("Gross Receipts Tax Table").

~~Depending on the tax class schedule pertaining to the business classification, the business shall pay a rate of twelve dollars, sixteen dollars, twenty dollars, twenty-four dollars, twenty-eight dollars or thirty-two dollars per ten thousand dollars of gross receipts. The minimum tax for any classification shall be fifty dollars. B. \_\_\_\_\_ No tax shall be charged against the gross receipts of any business in excess of twenty-two million dollars per year.~~

~~C.~~ Businesses for which an alternative flat tax is prescribed by sections 6.04.310, 6.04.320 or 6.04.330 may elect to pay a tax based on gross receipts prescribed by this section and shall thereafter be taxed on the basis of the gross receipts schedule applicable to the business classification determined by the collector.

~~D. Gross receipts for tax purposes shall either be the actual amount of gross receipts, or the gross receipts bracket in which the actual gross receipts appear, as reported by the taxpayer.~~

Section 3. That Section 6.04.310 of the National City Municipal Code is hereby amended to read as follows:

6.04.310 Business by vehicle—Optional rate.

A. Except as provided in Section 6.04.070(E)(4), every person not having a fixed place of business within the city and not otherwise designated, who on a regular basis conducts business by vehicle and charges a fee for service, shall pay an annual business tax of ~~sixty~~ twenty-five dollars (\$25) per vehicle operated within the city, or may make a binding election to pay a business tax measured by business classification and the gross receipts derived from business within the city as set out in Section 6.04.280.

B. Any person conducting business by vehicle in the city vending food products or beverages shall pay an annual business tax of ~~two hundred~~ seventy-five dollars (\$75) per year per vehicle operated within the city, or may make a binding election to pay a business tax measured by business classification and gross receipts derived from business within the city pursuant to Section 6.04.280.

C. Upon payment, identifying vehicle decals will be issued by the collector in a quantity equal to the number of vehicles through which business is conducted.

D. Any business by vehicle that operates additional vehicles within the city after payment of annual taxes has been made shall make an additional application to the collector to account for the additional vehicles. After the appropriate tax has been paid for the additional vehicle(s), additional vehicle decals will be issued.

E. Taxes for the first year of operation shall not be prorated, unless the annual gross receipt method is elected by the taxpayer.

Section 4. That Section 6.04.320 of the National City Municipal Code is hereby amended to read as follows:

6.04.320 Businesses located outside city limits—Optional rate.

A. Out-of-city Contractors. Except as provided in Section 6.04.320(C), and in lieu of a tax based on gross receipts, every state-licensed contractor licensed as an A or B contractor conducting business in the city who does not have a fixed place of business in the city shall pay annually a flat tax of ~~two hundred~~ seventy-five dollars (\$75). Every contractor conducting business in this city as a subcontractor or state-licensed C or D contractor who does not have a fixed place of business in the city shall pay annually a flat tax of ~~one hundred thirty-five~~ fifty dollars (\$50). Any contractor may make a binding election to pay a business tax measured by classification and gross receipts derived from business within the city pursuant to Section 6.04.280. Penalties shall accrue at the rate set forth in Section 6.04.370(D). A contractor who commences business during the last quarter of a calendar year shall pay only twenty-five percent of the initial installment at the time of application if a flat tax is elected, and will be subject to normal tax the years following.

B. Every other person not having a fixed place of business in the city who conducts business in the city and is not otherwise subject to a tax by any of the other sections of this chapter shall pay a business tax ~~of the greater of: (1) sixty-five dollars per year, or (2) a tax~~ calculated at the same rate prescribed herein for the same type of business having a fixed place of business within National City based on the gross receipts earned within National City or twelve percent of gross receipts from all sources within California where the amount of gross receipts earned within National City cannot readily be calculated or otherwise be determined by the collector.

C. In order to promote public safety, the city council will allow any out-of-city contractor installing a work of improvement that does not exceed five hundred dollars in materials and labor, inclusive, to pay a tax of ten dollars for a one-day tax certificate, in addition to any applicable building or engineering permit fees. This certificate shall not be available during any calendar year when the contractor performs any single job exceeding five hundred dollars, or has performed two jobs each not exceeding five hundred dollars. The applicant shall make his or her declaration under penalty of perjury on a form provided by the collector to the building and safety director or city engineer in conjunction with the permit application for the work of improvement. A receipt showing proof of payment shall qualify as the business license.

D. First year's taxes will not be prorated, except as provided in Section 6.04.320(A).

Section 5. That Section 6.04.330 of the National City Municipal Code is hereby amended to read as follows:

6.04.330 Specific taxes applicable to specific categories of ~~businesses~~ businesses.

A. Taxes applicable to specific categories of businesses previously established in Title 6 by Ordinances 708, 1048, 1231, 1699, 1788 or 2037 are recodified and summarized in Appendix B to this chapter. Recodification in Appendix B ~~is does~~ not intended to constitute enactment of a new tax and shall be construed in light of that intent.

B. Video Machines. A business which also operates video machines on its premises shall pay in addition to any tax based on gross receipts for its principal business an additional tax of fifty-five dollars per machine, not to exceed a total of four thousand five hundred dollars annually for all video machines. An identifying decal shall be affixed to each machine, unless the business tax license specifies the number of machines for which tax has been paid and the number of machines installed does not exceed the number specified on the business tax license (thereby allowing for replacement and maintenance).

C. Amusement Arcades. Amusement arcades shall be taxed on a flat tax basis of ~~two~~one hundred ~~sixty-five~~ dollars (\$100) per year ~~and shall pay the additional tax specified in Section 6.04.330(B) for each video machine installed on the premises, not to exceed four thousand five hundred dollars annually for all machines.~~

D. Any business listed in this section or Appendix B may make a binding election to pay its tax on the basis of total gross receipts and the classification schedule determined by the collector, including revenues from coin-operated equipment or



amusement devices, instead of this section, and such election shall be thereafter binding upon that business.

E. A swap meet shall be taxed at the rate of ~~six~~four thousand five hundred dollars (\$4,500) per year instead of gross receipts, unless it makes a binding election to pay its tax on the basis of total gross receipts and the classification schedule determined by the collector.

F. A pawnshop shall be taxed at the rate of ~~four~~one hundred fifty dollars (\$150) per year instead of gross receipts, unless it makes a binding election to pay its tax on the basis of total gross receipts and the classification schedule determined by the collector.

Section 6. That Appendix "A" of Chapter 6.04 of the National City Municipal Code is restated to read as follows:

#### CHAPTER 6.04 – APPENDIX A

#### NATIONAL INDICES OF ABILITY TO PAY AND TAX CLASSIFICATION BY INDUSTRY

[ATTACH]

Section 7. That Appendix "B" of Chapter 6.04 of the National City Municipal Code are hereby amended to read as follows:

#### CHAPTER 6.04 – APPENDIX B GROSS RECEIPTS TAX TABLE

TAXABLE GROSS RECEIPTS BRACKET		BUSINESS CLASSIFICATION					
		1	2	3	4	5	6
0	4,999	50	50	50	50	50	50
5,000	19,999	50	50	50	50	50	50
20,000	49,999	50	50	50	50	60	80
50,000	99,999	50	50	52	60	74	86
0	4,999	20	20	20	20	20	20
5,000	99,999	20	26	32	39	45	52
100,000	199,999	50 <del>35</del>	50 <del>46</del>	58	70	81	93
TAXABLE GROSS RECEIPTS BRACKET		BUSINESS CLASSIFICATION					
		1	2	3	4	5	6
200,000	299,999	50 <del>48</del>	64	80	96	112	128
300,000	399,999	60	81	101	121	141	161
400,000	499,999	73	93	121	145	169	194
500,000	599,999	84	113	141	169	197	225

600,000	699,999	96	128	160	192	224	256
700,000	799,999	107	143	179	214	250	286
800,000	899,999	118	157	197	236	275	315
900,000	999,999	129	172	215	257	300	343
1,000,000	1,099,999	139	185	232	278	324	371
1,100,000	1,199,999	149	199	248	298	348	398
1,200,000	1,299,999	159	212	265	318	371	423
1,300,000	1,399,999	168	224	280	336	392	449
1,400,000	1,499,999	177	236	296	355	414	473
1,500,000	1,999,999	222	296	370	444	518	592
2,000,000	2,499,999	266	355	444	533	621	710
2,500,000	2,999,999	310	413	516	619	723	826
3,000,000	3,499,999	352	469	586	703	820	938
3,500,000	3,999,999	392	523	653	784	915	1,045
4,000,000	4,999,999	470	627	783	940	1,096	1,253
5,000,000	5,999,999	545	727	908	1,090	1,271	1,453 1353
6,000,000	7,999,999	688	918	1,147	1,376	1,606	1,835 1,735
8,000,000	10,999,999	894	1,192	1,490	1,788	2,086	2,384 2,284
11,000,000	13,999,999	1,091	1,455	1,819	2,183	2,547 2,546	2,910 2,910
14,000,000	15,999,999	1,217	1,623	2,029	2,434	2,840 2,839	3,246 3,246
16,000,000	17,999,999	1,343	1,791	2,238	2,686	3,133 3,132	3,581 3,581
18,000,000	19,999,999	1,469	1,958	2,448	2,937	3,427 3,425	3,916 3,915
20,000,000	21,999,999	1,594	2,126	2,657	3,189	3,720 3,718	4,252 4,252
22,000,000	and above	1,720	2,294	2,867	3,440	4,014 4,011	4,587 4,585

**CHAPTER 6.04 - APPENDIX C**  
**FLAT TAX RATES FOR SPECIFIC BUSINESSES**

TYPE OF BUSINESS	ANNUAL TAX RATE	OTHER TAX RATE	ADOPTED BY ORDINANCE	SECTION NUMBER
<del>Adult Book Store</del>	<del>\$535</del>		<del>92-2037</del>	<del>8</del>
<del>Adult Movie Theater</del>	<del>\$535</del>		<del>92-2037</del>	<del>8</del>
Amusement Arcade	<del>\$265</del> <u>\$100</u>		<del>92-2037</del> <u>1048</u>	<del>941</del>
Auctioneer	\$50 (Class A & C)	\$10/day (Class B)	811	<del>44</del> <u>17</u>
<u>Bingo</u>	<u>\$50</u>			
Bowling Alleys (Standard <del>s</del> <u>S</u> Sized)	\$100	\$5/quarter/alley	1012	<del>42</del> <u>1</u>
Bowling Alleys (Substandard <del>s</del> <u>S</u> Sized)	\$25	\$5/quarter/alley	1012	2
Dance Hall	\$300		963	<del>43</del> <u>1</u>
<del>Delivery by Vehicle</del>	<del>\$65</del>		<del>92-2037</del>	<del>6</del>
Food Vending Vehicle	<del>\$200</del> <u>\$75</u>		<del>92-2037</del> <u>1657</u>	<del>----</del> <u>6</u>
TYPE OF BUSINESS	ANNUAL TAX RATE	OTHER TAX RATE	ADOPTED BY ORDINANCE	SECTION NUMBER
<del>Fortune Telling, etc.</del>	<del>\$265</del>		<del>92-2037</del>	<del>15</del>
Mobile Amusement Vehicle	<del>\$65</del> <u>\$25</u>		<del>92-2037</del> <u>986</u>	<del>18</del> <u>181</u>
Mobile Searchlight Advertising	<del>\$135</del> <u>\$50</u>		<del>92-2037</del> <u>937</u>	<del>----</del> <u>19</u>
<u>Out of Town Vendor (per Vehicle)</u>	<u>\$25</u>		<u>1606</u>	<u>20</u>
Outside Contractors (A & B <del>L</del> <u>L</u> icensed)	<del>\$200</del> <u>\$75</u>		<del>92-2037</del> <u>1652</u>	<del>72</del> <u>1</u>
Outside Contractors (C <del>L</del> <u>L</u> icensed)	<del>\$135</del> <u>\$50</u>		<del>92-2037</del> <u>1652</u>	<del>72</del> <u>1</u>
Pawnbroker	<del>\$400</del> <u>\$150</u>		<del>92-2037</del> <u>708</u>	<del>46</del> <u>40</u>
<del>Peep Shows and Peep Show Devices</del>	<del>---</del>	<del>\$10/quarter/device</del>	<del>1337</del>	<del>3</del>
Shooting Galleries	<del>\$265</del> <u>\$100</u>		<del>----</del>	<del>94</del> <u>1</u>
Swap Meet	<del>\$6,000</del> <u>\$4,500</u>		<del>92-2037</del> <u>1231</u>	<del>47</del> <u>12</u>
Taxis – Paratransit	<del>\$65</del> <u>\$50</u>		<del>92-2037</del> <u>1125</u>	<del>44</del> <u>2</u>
Video Machines	\$55 per machine		82-1788	----
<u>Second Location</u>	<u>\$10</u>			

Section 8. That Appendix “B,” “Marginal Tax Rate Relationship to Tax Rate in Bracket One,” and Appendix “D,” “How Business Taxes are Figured,” of Ordinance No. 1606, are hereby repealed.

Section 9. Upon submittal of a claim for refund, the Director of Finance shall refund the amount of any business tax paid that exceeds the applicable business tax paid specified in this Ordinance. Refunds shall be made only for business tax payments made from the date that is twelve (12) months prior to the effective date of this Ordinance, up to and including the effective date of this Ordinance.

Section 10. This Ordinance ~~is not intended to~~ ~~does not constitute an~~ increase in any business tax, but to codify tax rates in effect in upon the 1986 effective date of Proposition 62. Therefore, no voter approval of this Ordinance is required under California Constitution, article XIII C, section 2 or Government Code section 53720 et seq. This Ordinance shall be construed in light of this intent.

Section 11. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of National City hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

Section 12. Effect of Amendments. It is the intent of the City Council of the City of National City that the National Municipal Code sections affected by this Ordinance shall not be considered repealed and reenacted in their amended form; that the portions which are not altered are to be considered as having been the law from the time when they were enacted; that the new provisions are to be considered as having been enacted at the time of the amendment; and that the omitted portions are to be considered as having been repealed at the time of the amendment.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

\_\_\_\_\_  
Angil Morris-Jones  
City Attorney



ORDINANCE NO. 2017 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 6 SECTION 6.04 OF THE NATIONAL CITY MUNICIPAL CODE REGARDING BUSINESS TAX RATES TO COMPLY WITH CURRENT LAW, INCLUDING REVERTING GROSS RECEIPTS AND FLAT BUSINESS TAX RATES TO THOSE ESTABLISHED BY ORDINANCE NO. 1606, ENACTED IN 1977; CORRECTING RATE CALCULATIONS WHERE NECESSARY; REPEALING THE MARGINAL TAX RATE TABLE; REPEALING APPENDIX D TO ORDINANCE NO. 1606; AND REFUNDING BUSINESS TAXES AND ASSOCIATED APPLICABLE FEES OVERPAID WITHIN THE TWELVE MONTHS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED by the City Council of the City of National City as follows:

Section 1. That Section 6.04.270 of the National City Municipal Code is hereby amended to read as follows:

6.04.270 Initial business tax. Unless exempted or taxed on a flat rate basis pursuant to Section 6.04.310, 6.04.320, or 6.04.330, a person making application for the initial business tax license for a newly established business is required to pay a first year's tax of twenty dollars (\$20), the minimum annual tax, prorated by quarter. Upon making application in the following (second) year, that second year's tax due will be based upon the actual gross receipts for the first year. For all future years thereafter, the person will pay the tax based upon the gross receipts for the preceding year.

Section 2. That Section 6.04.280 of the National City Municipal Code is hereby amended to read as follows:

6.04.280 Computation of total business tax based on gross receipts.

A. The total business tax levied by this section shall be determined by the business tax rate classification schedule by business class (see Section 6.04.030(B) and Appendix A) and the corresponding tax on the gross receipts of that business as set forth in Appendix B ("Gross Receipts Tax Table").

B. Businesses for which an alternative flat tax is prescribed by sections 6.04.310, 6.04.320 or 6.04.330 may elect to pay a tax based on gross receipts prescribed by this section and shall thereafter be taxed on the basis of the gross receipts schedule applicable to the business classification determined by the collector.

Section 3. That Section 6.04.310 of the National City Municipal Code is hereby amended to read as follows:

6.04.310 Business by vehicle—Optional rate.

A. Except as provided in Section 6.04.070(E)(4), every person not having a fixed place of business within the city and not otherwise designated, who on a regular basis conducts business by vehicle and charges a fee for service, shall pay an annual

business tax of twenty-five dollars (\$25) per vehicle operated within the city, or may make a binding election to pay a business tax measured by business classification and the gross receipts derived from business within the city as set out in Section 6.04.280.

B. Any person conducting business by vehicle in the city vending food products or beverages shall pay an annual business tax of seventy-five dollars (\$75) per year per vehicle operated within the city, or may make a binding election to pay a business tax measured by business classification and gross receipts derived from business within the city pursuant to Section 6.04.280.

C. Upon payment, identifying vehicle decals will be issued by the collector in a quantity equal to the number of vehicles through which business is conducted.

D. Any business by vehicle that operates additional vehicles within the city after payment of annual taxes has been made shall make an additional application to the collector to account for the additional vehicles. After the appropriate tax has been paid for the additional vehicle(s), additional vehicle decals will be issued.

E. Taxes for the first year of operation shall not be prorated, unless the annual gross receipt method is elected by the taxpayer.

Section 4. That Section 6.04.320 of the National City Municipal Code is hereby amended to read as follows:

6.04.320 Businesses located outside city limits—Optional rate.

A. Out-of-city Contractors. Except as provided in Section 6.04.320(C), and in lieu of a tax based on gross receipts, every state-licensed contractor licensed as an A or B contractor conducting business in the city who does not have a fixed place of business in the city shall pay annually a flat tax of seventy-five dollars (\$75). Every contractor conducting business in this city as a subcontractor or state-licensed C or D contractor who does not have a fixed place of business in the city shall pay annually a flat tax of fifty dollars (\$50). Any contractor may make a binding election to pay a business tax measured by classification and gross receipts derived from business within the city pursuant to Section 6.04.280. Penalties shall accrue at the rate set forth in Section 6.04.370(D). A contractor who commences business during the last quarter of a calendar year shall pay only twenty-five percent of the initial installment at the time of application if a flat tax is elected, and will be subject to normal tax the years following.

B. Every other person not having a fixed place of business in the city who conducts business in the city and is not otherwise subject to a tax by any of the other sections of this chapter shall pay a business tax calculated at the same rate prescribed herein for the same type of business having a fixed place of business within National City based on the gross receipts earned within National City or twelve percent of gross receipts from all sources within California where the amount of gross receipts earned within National City cannot readily be calculated or otherwise be determined by the collector.

C. In order to promote public safety, the city council will allow any out-of-city contractor installing a work of improvement that does not exceed five hundred dollars in materials and labor, inclusive, to pay a tax of ten dollars for a one-day tax certificate, in addition to any applicable building or engineering permit fees. This certificate shall not be available during any calendar year when the contractor performs any single job

exceeding five hundred dollars, or has performed two jobs each not exceeding five hundred dollars. The applicant shall make his or her declaration under penalty of perjury on a form provided by the collector to the building and safety director or city engineer in conjunction with the permit application for the work of improvement. A receipt showing proof of payment shall qualify as the business license.

D. First year's taxes will not be prorated, except as provided in Section 6.04.320(A).

Section 5. That Section 6.04.330 of the National City Municipal Code is hereby amended to read as follows:

6.04.330 Specific taxes applicable to specific categories of businesses.

A. Taxes applicable to specific categories of businesses previously established in Title 6 by Ordinances 708, 1048, 1231, 1699, 1788 or 2037 are recodified and summarized in Appendix B to this chapter. Recodification in Appendix B is not intended to constitute enactment of a new tax and shall be construed in light of that intent.

B. Video Machines. A business which also operates video machines on its premises shall pay in addition to any tax based on gross receipts for its principal business an additional tax of fifty-five dollars per machine, not to exceed a total of four thousand five hundred dollars annually for all video machines. An identifying decal shall be affixed to each machine, unless the business tax license specifies the number of machines for which tax has been paid and the number of machines installed does not exceed the number specified on the business tax license (thereby allowing for replacement and maintenance).

C. Amusement Arcades. Amusement arcades shall be taxed on a flat tax basis of one hundred dollars (\$100) per year.

D. Any business listed in this section or Appendix B may make a binding election to pay its tax on the basis of total gross receipts and the classification schedule determined by the collector, including revenues from coin-operated equipment or amusement devices, instead of this section, and such election shall be thereafter binding upon that business.

E. A swap meet shall be taxed at the rate of four thousand five hundred dollars (\$4,500) per year instead of gross receipts, unless it makes a binding election to pay its tax on the basis of total gross receipts and the classification schedule determined by the collector.

F. A pawnshop shall be taxed at the rate of one hundred fifty dollars (\$150) per year instead of gross receipts, unless it makes a binding election to pay its tax on the basis of total gross receipts and the classification schedule determined by the collector.

Section 6. That Appendix "A" of Chapter 6.04 of the National City Municipal Code is restated to read as follows:

## CHAPTER 6.04

### APPENDIX A

#### National Indices of Ability to Pay and Tax Classification by Industry

SIC No.	Description	Net Profit to Net Sales (%)	Tax Class
01	Agricultural Production - Crops	5.90	3
02	Agricultural Production - Livestock	5.90	3
07	Agricultural Services	7.16	3
08	Forestry	7.16	3
09	Fishing, Hunting, and Trapping	7.16	3
10	Metal Mining	7.71	4
11	Anthracite Mining	7.71	4
12	Bituminous Coal and Lignite Mining	7.71	4
13	Oil and Gas Extraction	7.71	4
14	Mining and Quarrying of Nonmetallic Minerals, Except Fuels	7.71	4
15	Building Construction - General Contractors	2.69	1
16	Construction Other Than Building - General Contractors	2.84	1
17	Construction - Special Trade Contractors	7.01	3
20	Manufacturing - Food and Kindred Products	3.53	2
22	Manufacturing - Textile Mill Products	3.47	1
23	Manufacturing - Apparel and Other Finished Textile Products	2.89	1
24	Manufacturing - Lumber and Wood Products Except Furniture	2.98	1
25	Manufacturing - Furniture and Fixtures	4.03	2
26	Manufacturing - Paper and Allied Products	4.88	2
27	Manufacturing - Printing, Publishing, and Allied Industries	6.30	3
28	Manufacturing - Chemicals and Allied Products	8.26	4
29	Manufacturing - Petroleum and Related Products	5.69	3
30	Manufacturing - Rubber and Miscellaneous Plastic Products	3.00	1
31	Manufacturing - Leather and Leather Products	3.35	1
32	Manufacturing - Stone, Clay, Glass, and Concrete Products	4.72	2
33	Manufacturing - Primary Metal Industries	1.75	1
34	Manufacturing - Fabricated Metal Products Except Machinery and Transportation Equipment	4.00	2
35	Manufacturing - Machinery, except Electrical	6.78	3
36	Manufacturing - Electrical and Electrical Machinery, Equipment, and Supplies	3.03	1
37	Manufacturing - Transportation Equipment	2.41	1



<b>SIC No.</b>	<b>Description</b>	<b>Net Profit to Net Sales (%)</b>	<b>Tax Class</b>
38	Manufacturing - Measuring, Analyzing, and Controlling Instruments; Photographic Medical, and Optical Goods; Watches and Clocks	10.18	4
39	Manufacturing - Miscellaneous Manufacturing Equipment	3.49	1
40	Railroad Transportation	0.00	1
41	Local and Suburban Transit and Interurban Highway Passenger Transportation	4.28	2
42	Motor Freight Transportation and Warehousing	4.75	2
45	Transportation by Air	0.00	1
46	Pipe Lines, Except Natural Gas	10.54	4
47	Services Incidental to Transportation	2.15	1
48	Communication	12.04	5
49	Electrical, Gas, and Sanitary Services (Utilities)	8.66	4
50	Wholesale Trade - Durable Goods	2.51	1
51	Wholesale Trade - Nondurable Goods	2.51	1
52	Retail Trade - Building Materials, Hardware Garden Supply, and Mobile Home Dealers	3.26	1
53	Retail Trade - General Merchandise Stores	3.73	2
54	Retail Trade - Food Stores	2.28	1
55	Retail Trade - Automotive Dealers and Gasoline Services Stations	2.10	1
56	Retail Trade - Apparel and Accessory Stores	4.43	2
57	Retail Trade - Furniture, Home Furnishings, and Equipment Stores	4.04	2
58	Retail Trade - Eating and Drinking Places	4.66	2
59	Retail Trade - Other	4.54	2
60	Banking	8.24	4
61	Credit Agencies other than Banks	4.33	2
62	Security and Commodity Brokers, Dealers, Exchanges, and Services	3.59	2
63	Insurance Carriers (Underwriters)	4.14	2
64	Insurance Agents, Brokers, and Services	21.25	6
65	Real Estate	3.93	2
66	Combinations of Real Estate, Insurance, Loans, or Law Offices	30.41	6
67	Holding and Other Investment Offices	48.37	6
70	Service - Hotels, Rooming Houses; Camps and Other Lodging Places	2.41	1
72	Services - Personal	14.02	5

73	Services - Business	4.85	2
<b>SIC No.</b>	<b>Description</b>	<b>Net Profit to Net Sales (%)</b>	<b>Tax Class</b>
75	Automotive Repair, Automotive Services, and Garages	9.45	4
76	Miscellaneous Repair Services	9.45	4
78	Services - Motion Pictures	3.69	
79	Services - Amusement and Recreation, except Motion Pictures	4.87	
80	Health Services	38.41	
81	Legal Services	50.50	
82	Educational Services	5.91	
83	Social Services	6.57	
84	Museums, Art Galleries, Botanical and Zoological Gardens	6.57	
86	Membership Organizations	6.57	
891	Engineering, Architectural, and Surveying Services	25.35	
893	Accounting, Auditing, and Bookkeeping Services	33.14	
899	Services - not Elsewhere Classified	6.57	

### Alphabetical Business Classification Index

<b>SIC No.</b>	<b>Business Description</b>	<b>Tax Class</b>
<b>A</b>		
65	Abstract Land Title or Warranty Companies	2
61	Acceptance Corporations and Dealers	2
63	Accident Insurance Carrier	2
893	Accountants All Types	6
893	Accounting and Bookkeeping Services	6
	Accounting and Bookkeeping Machines and Supplies (See Office Machines)	
17	Acoustical Contractors	3
73	Advertising Agencies, including Outdoor Services	2
73	Advertising, novelties, signs, placards, etc.	2
61	Agricultural Credit Institutions	2
55	Aircraft, Dealers, Retail	1
17	Air Conditioning Contractor	3
76	Air Conditioning Service and Repair	4
73	Airplane Rental	2
72	Alterations, Clothing	5

41	Ambulance Service	2
79	Amusement and Recreation Services	2
79	Amusement Machines, Coin-Operated	2
79	Amusement Parks	2
07	Animal Hospital	3
73	Answering Service	2
59	Antiques, Dealers, Retail	2
76	Antiques, Repair and Restoration	4
65	Apartment Buildings or Complexes, Rental	2
57	Appliances, Household, Dealers	2
76	Appliances, Household, Repair of	4
891	Architects	6
76	Armature Rewinding Shops	4
73	Armored Car Service	2
59	Art, Dealers, Retail	2
73	Artists, Commercial	2
899	Artists' Studios or Portrait Artists, Non-Commercial	3
59	Artists' Supply and Materials Stores, Retail	2
79	Athletic Arena Work Clubs, Where Admission Is Charged	2
73	Auctioneers, Commission or Fee Basis	2
59	Auction Houses (General Merchandise), Retail	2
50	Automatic Sprinklers, Wholesale	1
55	Automobile Accessories, Dealers	1
75	Automobile, Automatic Car Wash	4
75	Automobile, Body and Paint Shop	4
55	Automobile, Dealers, Retail, New or Used	1
61	Automobile Loan Finance Companies	2
75	Automobile, Rental or Leasing, not including Driver	4
55	Automobile Parts, Retail	1
50	Automobile Parts, Wholesale	1
75	Automobile Repairs, Overhaul and General Servicing	4
75	Automobile Tires, Recapping	4
55	Automobile Tires, Retail	1
75	Automobile Towing Service	4
41	Automobile Transportation Service, including Driver	2
59	Automobile Wreckers, Buying Used Cars and Selling the Parts, Retail	2
17	Awning Installation Contractors	3

**B**

54	Bakery, Retail	1
20	Bakery Products, Manufacturer Only	2
51	Bakery Products, Wholesale Only	1
79	Ballroom, Lease or Rented for Dancing or Parties	2
79	Bands, Dance	2
60	Banks	4
72	Barber Schools	5
72	Barber Shops	5
50	Barber Supplies, Wholesale	1
55	Batteries, Auto, Retail	1
50	Bearings, Dealers, Wholesale	1
72	Beauty Schools	5
72	Beauty Shops	5
50	Beauty Supplies, Wholesale	1
50	Belting, Wholesale	1
20	Beveridge Manufacture, All Types	2
59	Bicycle Dealers, Retail	2
79	Bicycle Rental	2
76	Bicycle Repair	4
50	Bicycle Supplies, Wholesale	1
73	Billboard, Firms Engaged in the Erection and Lease of Space	2
79	Billiard or Pool Hall	2
51	Billiard or Pool Supplies, Wholesale	1
12	Bituminous Coal and Lignite Mining	4
76	Blacksmith	4
80	Blood Banks	6
35	Blowers and Blower Systems, Manufacturing	3
73	Blueprinting Services	2
70	Boarding House, including Fraternity and Sorority	1
55	Boat Supplies and Accessories, Retail	1
55	Boat, Dealers, Retail	1
76	Boilermaker Shops, Repair of Boilers	4
50	Boilers, Wholesale	1
17	Boiler, Setting of	3
50	Bolts, Nuts, and Screws, Dealers, Wholesale	1



73	Bondsmen	2
27	Book Publishers	3
59	Book Store, Retail	2
79	Booking Agent, except Motion Pictures	2
893	Bookkeeping Services	6
72	Bootblacks, Bootblack Stands	5
20	Bottlers of Soft Drinks	2
50	Bottlers Suppliers, Wholesale	1
79	Bowling Alleys	2
59	Bowling Equipment and Supplies, Retail	2
51	Bowling Equipment and Supplies, Wholesale	1
26	Box, Manufacturing	2
79	Boxing or Wrestling Matches	2
50	Brake Linings Wholesale Dealers	3
56	Bridal Shops, Retail	2
	Brokers (See Heading Under Type of Broker, for Example: Real Estate Broker, Food Broker, Etc.)	
	Building Contractors (See Contractors)	
52	Building Materials and Supplies, Retail	1
50	Building Materials, Wholesale	1
17	Burglar Alarm, Installation Only	3
73	Burglar Alarm, Maintenance and Monitoring Only	2
41	Bus and Motor Coach Company	2
41	Bus Terminals	2
73	Business Agents or Brokers, Selling Business Concerns	2
73	Business Consultant, except Finance - Investment	2
61	Business Credit Institutions	2
27	Business Forms, Manufacturing	3
59	Business Forms, Retail	2
	Business Machines (See Office Machines)	
82	Business Schools	3
	<b>C</b>	
25	Cabinet Shops, Manufacturers, not Custom	2
57	Cabinet Shop, for Individual Order	2
58	Cafeterias	2
59	Camera and Photographic Supplies, Retail	2
50	Camera and Supplies, Wholesale	1

76	Camera Repair Shop	4
59	Cameras, Retail	2
70	Campgrounds	1
59	Camping Equipment, other than Trailers, Retail	2
55	Campers and Other Recreational Vehicles, Retail	1
54	Candy, Retail	1
51	Candy, Wholesale	1
59	Canvassers	2
75	Car Wash	4
79	Carnivals	2
17	Carpenters	3
72	Carpet and Rug Cleaning	5
57	Carpet and Rug, Dealers, Retail	2
17	Carpet Layers, Contractors	3
50	Carpets, Wholesale	1
	Cash Registers and Supplies (See Office Machines)	
63	Casualty Insurance Carrier	2
58	Caterers	2
17	Ceiling Contractors	3
32	Cement Manufacture	2
50	Cement Products, Wholesale Dealers	1
65	Cemetery Companies, Agents, or Dealers in Cemetery Lots	2
07	Cemetery Lots, Caretakers of	3
893	Certified Public Accountants	6
82	Charm, Fashion, Finishing, and/or Modeling Schools	3
20	Cheese, Manufacturers or Processors	2
28	Chemical and Allied Products, Manufacturing	4
80	Chiropractors	6
52	Christmas Trees, Retail	1
51	Cigarettes or Tobacco, Wholesale	1
59	Cigar and Cigarette Stores and Stands, Retail	2
64	Claim Adjustment Agencies	6
32	Clay, Stone, and Glass Products, Manufacturing	2
72	Cleaning of Garments	5
59	Clothing, Dealers in Second-Hand Clothing	2
23	Clothing Manufacturers	1
56	Clothing, Retail	2

72	Clothing, Rental	5
51	Clothing, Wholesale	1
50	Coal, Dealers, Wholesale	1
62	Coal, Wood, or Coke Agents or Brokers	2
59	Coal, Wood, or Coke, Dealers, Retail	2
51	Coffee, Dealers, Wholesale	1
42	Cold Storage Warehouse	2
73	Collection and Claim Agency, except for Real Estate	2
66	Combinations of Real Estate, Insurance, Loans, Law Offices	6
62	Commodity Brokers and Dealers (Contracts)	2
48	Communication	5
73	Computer Programming and Other Software Services	2
50	Concrete Products, Dealers, Wholesale	1
32	Concrete, Manufacturer, Block, Brick, and Other Products	2
32	Concrete, Manufacturer, Ready Mixed and Transit-Mixed	2
16	Concrete Work Contractors (Roads, Highways, and Streets)	1
17	Concrete Work Contractors (Driveways, Sidewalks, and Floors Only)	3
62	Consultants, Finance - Investments	2
73	Consulting Services, except Investment and Family	2
15	Contractors, Building	1
16	Contractors, Heavy Construction, other than Building	1
17	Contractors, Special Trade	3
80	Convalescent Home	6
73	Copying Service	2
28	Cosmetics, Manufacturer	4
59	Cosmetics, Dealers, Retail	2
51	Cosmetics, Wholesale	1
62	Cotton Brokers, Agents or Warehousemen	2
42	Cotton Compresses and Warehouses	2
22	Cotton Fabrics, Manufacture	1
07	Cotton Ginning	3
83	Counseling Services	3
20	Cracker Manufacturer	2
73	Credit Reporting Agencies	2
61	Credit Unions	2
	<b>D</b>	
20	Dairy Products, Processing	2

54	Dairy Products, Retail	1
51	Dairy Supplies, Wholesale	1
79	Dancing Academies or Schools	2
79	Dance Halls	2
73	Data Processing Services	2
73	Data Processing Systems, Supplies, and Equipment, including Key punching	2
83	Day Care Centers	3
73	Decorators, Interior	2
54	Delicatessen	1
42	Delivery Service (Messenger/Courier), Vehicular	2
50	Dental Equipment and Supplies, Wholesale	1
80	Dental Laboratories and/or Dentists	6
53	Department Stores	2
73	Detectives, Agencies	2
72	Diaper Service	5
07	Dog Kennels and/or Grooming	3
70	Dormitories, Commercially Operated	1
57	Drapery Stores, Retail	2
56	Dressmakers for Retail Trade	2
82	Driver Training School	3
59	Drug Store, Retail	2
51	Drugs, Wholesale	1
72	Dry Cleaning, Coin-Operated	5
72	Dry Cleaning, Retail	5
50	Dry Cleaning, Wholesale	1
51	Dry Goods, Wholesale	1
17	Drywall Contractors	3
72	Dyeing and Cleaning Plants, except Rug Cleaning	5
	<b>E</b>	
17	Earthmoving for Building Construction	3
16	Earthmoving, not Connected with Building Construction	1
82	Educational Services and Schools	3
54	Eggs, Retail	1
51	Eggs, Wholesale	1
49	Electric, Gas, and Sanitary Services (Utilities)	4
50	Electric Light Bulbs, Wholesale	1
49	Electric Power Company (Utility)	4



57	Electrical Appliances and Supplies, Retail	2
50	Electrical Appliances and Supplies, Wholesale	1
76	Electrical Appliances, Repair	4
17	Electrical Contractors	3
36	Electrical Machinery, Equipment, and Supplies Manufacturing	1
50	Elevators, including Repair, Wholesale	1
73	Employment Agencies	2
891	Engineering, Architectural, and/or Surveying Services	6
27	Engraving	3
79	Entertainment, except Motion Pictures	2
73	Equipment Rental and Leasing	2
72	Escort Services	5
51	Explosives, Sales and Distributors, Wholesale	1
17	Excavating and Foundation Contractors, Building Construction Only	3
16	Excavating Contractors, other than Building	1
73	Exterminators	2
	<b>F</b>	
59	Fabric Shops, Retail	2
61	Factors	2
50	Farm Equipment and Machinery	1
51	Farm Supplies	1
20	Feeds, for Pets and Other Animals, Manufacture of	2
17	Fencing Contractors	3
28	Fertilizer, Manufacture	4
51	Fertilizer, Wholesale	1
73	Field Warehousing	2
73	Film Developers, for General Public	2
78	Film Distributor	2
61	Finance Companies	2
50	Fire Extinguishers, Sale of	1
73	Fire Extinguishers, Service of	2
63	Fire Insurance Carriers	2
59	Fish Aquariums, Retail	2
54	Fish and Seafood Stores, Retail	1
51	Fish or Other Seafood, Wholesale	1
59	Fish, Tropical Fish, Retail	2
59	Fish Bait, Retail	2

09	Fisheries	3
25	Fixtures and Furniture, Manufacturing	2
57	Floor Covering, Retail	2
50	Floor Covering, Wholesale	1
17	Flooring Contractors	3
59	Florists, Retail	2
51	Florists, Wholesale	1
54	Food, Retail, Dealer, not Consumed on Premises	1
51	Food Broker	1
17	Foundation Contractors, Building Construction Only	3
33	Foundries	1
47	Freight Forwarders	1
54	Fruit and Produce, Retail	1
51	Fruit and Produce, Wholesale	1
59	Fuel Dealers, Retail	2
72	Funeral Homes, Funeral Directors, and/or Undertakers	5
56	Fur, Retail	2
17	Furnace or Heating Contractors	3
57	Furniture, Dealers, Retail	2
59	Furniture Dealers, Second-Hand, Retail	2
25	Furniture and Fixtures, Manufacturing	2
76	Furniture Repairing, Refinishing, and Reupholstering	4
50	Furniture, Wholesale	1
	<b>G</b>	
75	Garages, Automotive Repair	4
49	Garbage Collection Agencies	4
72	Garment Pressing and Alteration	5
49	Gas, Dealers in Liquefied Petroleum Gas and Natural Gas	4
59	Gas, Dealers in Liquefied Petroleum Gas, Delivered to Customers' Premises, Retail	2
49	Gas, Natural Gas Company	4
55	Gasoline Service Stations	1
51	Gasoline, Wholesale	1
53	General Merchandise Stores	2
59	Gift Shops	2
17	Glass Installation Contractors	3
75	Glass, Replacement and Repair, Automotive	4

52	Glass, Retail	2
32	Glass, Stone and Clay Products, Manufacturing	2
79	Golf Courses, including Miniature	2
16	Grading, General Construction	1
62	Grain Broker (Commodity)	2
42	Grain Elevators, Stores Only	2
51	Grain, Dealers, Wholesale	1
73	Graphic Arts	2
59	Gravestones, Finished, Retail	2
59	Greeting Cards, Retail	2
54	Grocers, Retail	1
51	Grocers, Wholesale	1
59	Guns, Retail	2
50	Guns, Wholesale	1
76	Gunsmiths, Repair of Guns	4
	<b>H</b>	
72	Hairdressers and/or Stylists	5
52	Hardware, Retail	1
50	Hardware, Wholesale	1
72	Hat Cleaning and Blocking, Retail	5
09	Hatchery, Poultry	3
56	Hats, Retail	2
72	Health Clubs	5
80	Health Services, General	6
59	Hearing Aids, Retail	2
17	Heating Contractor	3
16	Heavy Construction	1
63	Health Insurance Carrier	2
16	Highway and Street Construction	1
59	Hobby Shops, Retail	2
67	Holding Companies	6
57	Home Furnishing Stores, Retail	2
07	Horticulturists	3
56	Hosiery, Retail	2
51	Hosiery, Wholesale	1
22	Hosiery Mills	1
63	Hospital Insurance Carrier	2

50	Hospital Supplies	1
80	Hospitals, Sanitariums, and Like Institutions	6
07	Hospitals, Animal	3
70	Hotels, except Residential	1
65	Hotels, Residential	2
50	Hotel Supplies, Wholesale	1
17	House Mover and Wrecker	3
59	House-To-House, Retail	2
	<b>I</b>	
59	Ice, Dealers, Retail	2
51	Ice, Dealers, Wholesale	1
20	Ice, Manufacturers	2
50	Ice-Making, Machinery and Equipment, Wholesale	1
54	Ice Cream Dealers, Retail, not Consumed on Premises	1
58	Ice Cream Dealers, Retail, Consumed on Premises	2
20	Ice Cream, Manufacture	2
51	Industrial Chemicals, Wholesale	1
72	Industrial Laundries	5
61	Installment Sales Finance, other than Banks	2
07	Insemination, Artificial	3
17	Insulation Contractor	3
66	Insurance, Loans, Law, Real Estate Offices, Combinations of	6
64	Insurance Agents, Brokers, and Other Insurance Services	6
64	Insurance Adjustor	6
63	Insurance Carriers, All Types	2
64	Insurance Solicitors	6
17	Intercommunication Equipment Installation Contractor	3
73	Interior Decorator	2
62	Investment Counselors	2
62	Investment Firm, General Brokerage	2
67	Investment Offices (Management)	6
62	Iron Brokers	2
07	Irrigation Systems, Landscape Services	3
	<b>J</b>	
73	Janitor or Housekeeping Service	2
50	Janitor or Housekeeping Supplies, Wholesale	1
76	Jewelry, Repair, including Watch Repair	4



59	Jewelry, Retail	2
50	Jewelry, Wholesale	1
	<b>K</b>	
79	Karate Instruction	2
07	Kennels	3
17	Kitchen Designers and Contractors	3
22	Knitting Mills	1
	<b>L</b>	
50	Laboratory Equipment and Supplies, Wholesale	1
57	Lamp Dealers, Retail	2
50	Lamp Dealers, Wholesale	1
36	Lamps, Manufacturers	1
65	Land Title or Warranty Company	2
07	Landscape Services and Landscape Architects	3
66	Law, Real Estate, Insurance, Loan Offices, Combinations of	6
72	Laundries, including Automatic Machines, Coin-Operated and Industrial	5
07	Lawn Care	3
50	Lawnmower, Dealers, Wholesale	1
52	Lawn and Garden Supplies, Retail	1
76	Lawnmowers, Repairs	4
81	Lawyers	6
82	Learning Centers	3
73	Leased Equipment	2
75	Leasing Companies, Vehicles without Drivers	4
59	Leather Goods, Retail	2
50	Leather Goods, Wholesale	1
31	Leather and Leather Products, Manufacturing	1
81	Legal Services	6
63	Life Insurance Carrier	2
57	Linen Shop, Retail	2
72	Linen Supply Service	5
59	Liquefied Petroleum Gas, Delivered to Customers' Premises, Retail	2
61	Loan (Small) Lenders, Licensed	2
66	Loans, Real Estate, Insurance, Law Offices, Combinations of	6
76	Locksmiths	4
70	Lodging and Rooming Houses	1
59	Luggage, Retail	2

24	Lumber, Manufacture	1
52	Lumber Merchants, Operating Lumber Yards, Retail	2
50	Lumber Merchants, Operating Lumber Yards, Wholesale	1
<b>M</b>		
35	Machine Shops	3
59	Magazine Stores and Stands, Retail	2
59	Mail Order Business	2
73	Management Consultants	2
67	Management Investment Companies	6
72	Manicurists	5
17	Mantel Work, Contractors	3
<b>MANUFACTURING</b>		
20	Bakery Products	2
28	Chemical and Other Allied Products	4
32	Concrete, Clay, Stone, and Glass Products	2
36	Electrical Machinery, Equipment and Supplies	1
34	Fabricated Metal Products	2
25	Furniture and Fixtures	2
31	Leather and Leather Products	1
35	Machinery, except Electrical	3
33	Metal Products, Primary	1
26	Paper and Allied Products	2
20	Pet and Other Animal Food	2
29	Petroleum Refining and Related Industries	3
30	Rubber and Miscellaneous Products	1
22	Textile Mill Products	1
37	Transportation Equipment	1
24	Wood Products, except Furniture	1
39	Manufacturing, not Otherwise Classified	1
17	Masonry and Stonework Contractors	3
72	Massage	5
25	Mattress and Bedsprings Manufacture	2
76	Mattress Renovating	4
57	Mattresses, Retail	2
54	Meat, Retail	1
51	Meat, Wholesale	1
20	Meat Slaughtering and/or Packing Plants	2

17	Mechanical Contractors	3
63	Medical Insurance Carriers	2
80	Medical and Other Health Services, including Laboratories	6
56	Men's Furnishings, Retail	2
73	Messenger Service	2
33	Metal Products, Manufacturing	1
54	Milk, Retail	1
51	Milk Depots, with or without Truck Delivery	1
51	Millinery, including All Lines of Millinery, Wholesale	1
56	Millinery Shops or Stores, Retail	2
51	Mills, Flour, Wholesale	1
20	Mills, Flour and Other Grain Products	2
10-14	Mining, All Types	4
73	Miscellaneous Business Services, not Otherwise Classified	2
65	Mobile Home Sites, Rental	2
52	Mobile Homes, Retail	1
42	Mobile Homes, Transportation of	2
59	Monuments, Retail	2
61	Mortgage Brokers	2
70	Motels, except Residential	1
65	Motels, Residential	2
78	Motion Picture Films, Distributors, Producers, or Agents for	2
78	Motion Picture Operators	2
78	Motion Picture Theatre or Drive-In	2
42	Motor Freight Lines	2
82	Motor Vehicle Drivers Training School	3
79	Motorcycle Rental	2
55	Motorcycles, Dealers, Retail	1
55	Motors, Outboard, Dealers, Retail	1
42	Movers, Trucking with or without Storage	2
42	Movers, Storage Only	2
57	Music, Sheet, or Musical Instruments, Retail	2
79	Music Distribution Systems, Coin-Operated	2
73	Music Distribution Systems, except Coin-Operated	2
76	Musical Instrument Repair Shops	4
62	Mutual Funds, Selling By Independent Salesman	2

## N

49	Natural Gas and/or Liquefied Petroleum Gas	4
27	Newspapers, Publishing of	3
59	Newspapers, Retail	2
51	Newspapers, Wholesale	1
59	Newsstands	2
65	Nonresidential Building Operators	2
62	Notes, Endorsers and Buyers	2
59	Notions and Novelties	2
83	Nurseries, Day	3
07	Nursery or Horticulturists	3
80	Nurses, All Types	6
80	Nursing Homes, Convalescent	6
83	Nursing Homes, Residential Type	3
82	Nurses Schools	3

## O

65	Office Buildings, Rental	2
50	Office Furniture and/or Supplies, Wholesale	1
57	Office Furniture, Retail	2
76	Office Machines, Service and Repair	4
73	Office Machines, Rental	2
59	Office Machines, Equipment and/or Supplies, Retail	2
73	Office Secretarial Service	2
51	Oil, Fuel, Wholesale	1
50	Ophthalmic Goods, Wholesale	1
38	Optical Goods, Manufacture	4
50	Optical Goods or Supplies, Wholesale	1
59	Optical Goods Stores, Retail	2
38	Opticians	4
80	Optometrists	6
59	Orthopedic and Artificial Limb Stores, Retail	2
65	Operators of Nonresidential, Residential, and/or Apartment Buildings	
	Apartment Buildings	2
65	Operators of Mobile Home Sites	2
80	Osteopathic Physicians	6



## P

47	Packing Goods, for Shipping	1
42	Packing House, Cold Storage	2
28	Paint Manufacturers	4
52	Paint, Retail	1
51	Paint, Wholesale	1
17	Painting and Paper Hanging Contractors	3
26	Paper and Allied Products, Manufacturing	2
42	Parcel Delivery Companies	2
75	Parking Lots and Garages	4
70	Parking Spaces (Trailer Park)	1
16	Paving and Asphalt Contractors	1
59	Pawn Brokers, All Types and Classifications	2
59	Peddlers, All Types and Classifications	2
61	Personal Loan Companies	2
67	Personal Holding Companies	6
72	Personal Services	5
73	Pest Control	2
20	Pet and Other Animal Food Manufacture	2
59	Pet Shops	2
29	Petroleum Refining and Related Industries	3
59	Pharmacies	2
50	Phonograph Record Businesses, Wholesale	1
57	Phonograph and Record Stores, Retail	2
73	Photocopying Service	2
73	Photograph Developing and Retouching	2
72	Photographers, Portrait for the General Public	5
73	Photographers, Commercial	2
72	Photographic School	5
59	Photographic Supply Stores, Retail	2
80	Physical Therapist	6
80	Physicians	6
57	Pianos and Organs, Retail	2
57	Picture and/or Picture Frames, Dealers, Retail	2
16	Pipe Laying Contractors	1

58	Pizzerias	2
17	Plastering and Dry Wall Contractors	3
52	Plumbing Supplies, Retail	1
50	Plumbing Supplies, Wholesale	1
17	Plumbing, Heating, and Air Conditioning Contractors	3
50	Poultry Equipment, Wholesale	1
02	Poultry and Egg Production	3
20	Poultry Slaughtering, Dressing, and /Or Packing	2
02	Poultry Hatcheries	3
27	Printing, All Types	3
80	Psychologists	6
73	Public Relations Services	2
27	Publishers	3
50	Pumps, Wholesale	1
<b>Q</b>		
14	Quarrying	4
<b>R</b>		
75	Radiator, Repairs, Automotive	4
57	Radio and Television, Retail	2
50	Radio, Phonographs, and Television, Dealers in Supplies, Wholesale	1
73	Radio and Television, for Rent or Lease	2
76	Radio and Television Repairs	4
48	Radio and Television Stations, including CATV	5
40	Railroad Companies	1
66	Real Estate, Insurance, Loans, Law Offices, Combinations of	6
65	Real Estate Dealers in or Agents for, including Renting, Contracting, or Charging for Repairs on Houses; Dealers without Offices; Brokers for Real	2

Section 7. That Appendix “B” of Chapter 6.04 of the National City Municipal Code are hereby amended to read as follows:

### CHAPTER 6.04 – APPENDIX B GROSS RECEIPTS TAX TABLE

TAXABLE GROSS RECEIPTS BRACKET		BUSINESS CLASSIFICATION					
		1	2	3	4	5	6
0	4,999	20	20	20	20	20	20
5,000	99,999	20	26	32	39	45	52
100,000	199,999	35	46	58	70	81	93

TAXABLE GROSS RECEIPTS BRACKET		BUSINESS CLASSIFICATION					
		1	2	3	4	5	6
200,000	299,999	48	64	80	96	112	128
300,000	399,999	60	81	101	121	141	161
400,000	499,999	73	93	121	145	169	194
500,000	599,999	84	113	141	169	197	225
600,000	699,999	96	128	160	192	224	256
700,000	799,999	107	143	179	214	250	286
800,000	899,999	118	157	197	236	275	315
900,000	999,999	129	172	215	257	300	343
1,000,000	1,099,999	139	185	232	278	324	371
1,100,000	1,199,999	149	199	248	298	348	398
1,200,000	1,299,999	159	212	265	318	371	423
1,300,000	1,399,999	168	224	280	336	392	449
1,400,000	1,499,999	177	236	296	355	414	473
1,500,000	1,999,999	222	296	370	444	518	592
2,000,000	2,499,999	266	355	444	533	621	710
2,500,000	2,999,999	310	413	516	619	723	826
3,000,000	3,499,999	352	469	586	703	820	938
3,500,000	3,999,999	392	523	653	784	915	1,045
4,000,000	4,999,999	470	627	783	940	1,096	1,253
5,000,000	5,999,999	545	727	908	1,090	1,271	1,353
6,000,000	7,999,999	688	918	1,147	1,376	1,606	1,735
8,000,000	10,999,999	894	1,192	1,490	1,788	2,086	2,284
11,000,000	13,999,999	1,091	1,455	1,819	2,183	2,546	2,810
14,000,000	15,999,999	1,217	1,623	2,029	2,434	2,839	3,145
16,000,000	17,999,999	1,343	1,791	2,238	2,686	3,132	3,480
18,000,000	19,999,999	1,469	1,958	2,448	2,937	3,425	3,815
20,000,000	21,999,999	1,594	2,126	2,657	3,189	3,718	4,150
22,000,000	and above	1,720	2,294	2,867	3,440	4,011	4,485

**CHAPTER 6.04 - APPENDIX C**  
**FLAT TAX RATES FOR SPECIFIC BUSINESSES**

TYPE OF BUSINESS	ANNUAL TAX RATE	OTHER TAX RATE	ADOPTED BY ORDINANCE	SECTION NUMBER
Amusement Arcade	\$100		1048	41
Auctioneer	\$50 (Class A & C)	\$10/day (Class B)	811	17
Bingo	\$50			
Bowling Alleys (Standard Sized)	\$100	\$5/quarter/alley	1012	1
Bowling Alleys (Substandard Sized)	\$25	\$5/quarter/alley	1012	2
Dance Hall	\$300		963	1
Food Vending Vehicle	\$75		1657	
Mobile Amusement Vehicle	\$25		986	181
Mobile Searchlight Advertising	\$50		937	----
Out of Town Vendor (per Vehicle)	\$25		1606	20
Outside Contractors (A & B Licensed)	\$75		1652	21
Outside Contractors (C Licensed)	\$50		1652	21
Pawnbroker	\$150		708	40
Shooting Galleries	\$100		----	41
Swap Meet	\$4,500		1231	12
Taxis – Paratransit	\$50		1125	2
Video Machines	\$55 per machine		82-1788	----
Second Location	\$10			

Section 8. That Appendix “B,” “Marginal Tax Rate Relationship to Tax Rate in Bracket One,” and Appendix “D,” “How Business Taxes are Figured,” of Ordinance No. 1606, are hereby repealed.

Section 9. Upon submittal of a claim for refund, the Director of Finance shall refund the amount of any business tax paid that exceeds the applicable business tax paid specified in this Ordinance. Refunds shall be made only for business tax payments made from the date that is twelve (12) months prior to the effective date of this Ordinance, up to and including the effective date of this Ordinance.



Section 10. This Ordinance is not intended to increase any business tax, but to codify tax rates in effect in upon the 1986 effective date of Proposition 62. Therefore, no voter approval of this Ordinance is required under California Constitution, article XIII C, section 2 or Government Code section 53720 et seq. This Ordinance shall be construed in light of this intent.

Section 11. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of National City hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

Section 12. Effect of Amendments. It is the intent of the City Council of the City of National City that the National Municipal Code sections affected by this Ordinance shall not be considered repealed and reenacted in their amended form; that the portions which are not altered are to be considered as having been the law from the time when they were enacted; that the new provisions are to be considered as having been enacted at the time of the amendment; and that the omitted portions are to be considered as having been repealed at the time of the amendment.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Public Hearing on the adoption of a Resolution by the City Council of the City of National City, 1) approving an Amendment No. 8 (16-08) to the 2016 Regional Transportation Improvement Program for TransNet Local Street Improvement Program of Projects for

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public Hearing on the adoption of a Resolution by the City Council of the City of National City, 1) approving an Amendment No. 8 (16-08) to the 2016 Regional Transportation Improvement Program for *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021 to ensure programming is consistent with the latest *TransNet* Revenue Forecast for National City; projects include Plaza Boulevard Widening (NC01), Street Resurfacing (NC03), Traffic Signal Install/Upgrades (NC04) and Citywide Safe Routes to School (NC15); and 2) authorizing the establishment of a *TransNet* Proposition "A" Fund appropriation of \$1,021,000 for FY 2018 and corresponding revenue budget.

**PREPARED BY:** Stephen Manganiello, City Engineer

**PHONE:** 619-336-4382

**DEPARTMENT:** Engineering / Public Works

**APPROVED BY:**

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.** Revenue Account #307-0000-3466: \$1,021,000  
Expenditure Account #307-409-500-598-6569 (Plaza Boulevard Widening - NC01): \$0  
Expenditure Account #307-409-500-598-6035 (Street Resurfacing - NC03): \$400,000  
Expenditure Account #307-409-500-598-6558 (Traffic Signal Install/Upgrades - NC04): \$121,000  
Expenditure Account #307-409-500-598-6166 (Citywide Safe Routes to School - NC15): \$500,000

**APPROVED:**



Finance

**APPROVED:**

MIS

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Hold Public Hearing on the adoption of a Resolution approving an Amendment No. 8 (16-08) to the 2016 RTIP for *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation w/ attachment
2. Public Hearing Notice
3. Resolution



### Explanation

On November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (*TransNet* Extension Ordinance). The *TransNet* Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve on a biennial basis a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds.

On April 19, 2016, per Resolution No. 2016-55, City Council adopted the 2016 Regional Transportation Improvement Program (RTIP) for *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021.

Consistent with the *TransNet* Extension Ordinance and SANDAG Board Policy No. 31, local agencies are allowed to make amendments to the RTIP on a quarterly basis. Amendments may consist of adding new projects, adjusting funding for existing projects and/or transferring funds between projects. City Council authorization is required for all RTIP amendments.

Staff is requesting City Council approval of an Amendment No. 8 (16-08) to the 2016 RTIP for *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021 to ensure programming is consistent with the latest *TransNet* Revenue Forecast for National City, posted February 1, 2017. The following table summarizes the revised *TransNet* funding allocations for each project.

Project Name (ID)	Project No.	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Plaza Boulevard Widening (NC01)	6569	\$167,000	\$0	\$0	\$200,000	\$400,000
Street Resurfacing (NC03)	6035	\$172,000	\$400,000	\$400,000	\$400,000	\$500,000
Traffic Signal Install/Upgrades (NC04)*	6558	\$34,000	\$121,000	\$177,000	\$130,000	\$178,000
Citywide Safe Routes to School (NC15)	6166	\$620,000	\$500,000	\$500,000	\$500,000	\$500,000
DRAFT <i>TransNet</i> Revenue Forecast (SANDAG - revised 2/1/2017)	Total	\$993,000	\$1,021,000	\$1,077,000	\$1,230,000	\$1,578,000
* \$8,000 from NC04 will be programmed annually to satisfy National City's fair-share contribution to the Regional Arterial Management System (RAMS).						



In accordance with Section 5(A) of the *TransNet* Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31, the City Council of the City of National City is required to hold a noticed public hearing that clearly identifies the proposed amendment prior to approval of the projects.

It shall be noted that the accompanying Resolution contains provisions required by SANDAG, which have been reviewed and accepted by staff. While one such provision is a "hold harmless" provision, staff has determined that risk to the City is minimal since SANDAG's involvement in National City's *TransNet* projects is limited to accounting processes and financial audits.

In order to use *TransNet* revenues to complete the projects listed above, staff requests City Council authorization for the establishment of a *TransNet* Proposition "A" Fund appropriation of \$1,021,000 for FY 2018 and corresponding revenue budget.

**TransNet Revenue Forecast - Local Street Improvement Program<sup>1</sup>**  
**Revised FY 2017 Projection; Estimates for FY 2018 to FY 2022 (in \$000s)\*\***

**DRAFT**

**REVISED**

**2/1/2017**

<b>Jurisdiction</b>	<b>Jan. 2016 Population<sup>3</sup></b>	<b>Maintained Miles<sup>3</sup></b>	<b>Revised FY 2017*</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
Carlsbad	112,930	347.5	\$2,806	\$3,125	\$3,255	\$3,384	\$3,521	\$3,661
Chula Vista	265,070	464.3	\$5,814	\$6,042	\$6,296	\$6,548	\$6,814	\$7,088
Coronado	25,230	42.5	\$580	\$615	\$638	\$662	\$687	\$713
Del Mar <sup>4</sup>	4,274	22.4	\$0	\$0	\$7	\$12	\$21	\$26
El Cajon	102,337	191.5	\$2,367	\$2,406	\$2,506	\$2,605	\$2,710	\$2,817
Encinitas	61,928	182.7	\$1,615	\$1,709	\$1,779	\$1,849	\$1,922	\$1,998
Escondido	150,760	297.2	\$3,480	\$3,574	\$3,723	\$3,871	\$4,027	\$4,189
Imperial Beach	27,434	64.2	\$683	\$726	\$755	\$783	\$813	\$844
La Mesa <sup>4</sup>	59,982	151.8	\$1,095	\$1,569	\$1,633	\$1,697	\$1,765	\$1,834
Lemon Grove	26,611	65.2	\$703	\$716	\$745	\$773	\$802	\$833
National City <sup>4</sup>	60,768	100.7	\$993	\$1,021	\$1,077	\$1,230	\$1,578	\$1,640
Oceanside	175,948	475.6	\$4,496	\$4,611	\$4,805	\$4,996	\$5,199	\$5,407
Poway	50,103	180.6	\$1,475	\$1,506	\$1,568	\$1,629	\$1,694	\$1,761
San Diego	1,391,676	2,713.4	\$31,746	\$32,473	\$33,847	\$35,209	\$36,647	\$38,129
San Marcos <sup>4</sup>	93,295	183.7	\$1,184	\$1,285	\$1,377	\$1,469	\$1,565	\$1,665
Santee <sup>4</sup>	56,757	134.9	\$461	\$493	\$554	\$611	\$675	\$742
Solana Beach <sup>4</sup>	13,494	47.9	\$105	\$115	\$131	\$148	\$165	\$183
Vista	98,896	175.5	\$2,229	\$2,294	\$2,389	\$2,483	\$2,582	\$2,685
County <sup>4</sup>	511,119	1,940.5	\$13,441	\$13,975	\$14,619	\$15,255	\$15,923	\$16,622
Subtotal Street & Road***	3,288,612	7,782.1	\$75,275	\$78,256	\$81,705	\$85,215	\$89,110	\$92,837
Local EMP <sup>5</sup>			\$4,810	\$4,936	\$5,094	\$5,307	\$5,518	\$5,742
Local Smart Growth <sup>5</sup>			\$5,612	\$5,759	\$5,942	\$6,191	\$6,438	\$6,699

\*Same formula distribution as listed below but using Jan. 2015 population and Caltrans 2013 California Public Road Data

\*\*Revenue estimates for planning purposes only. Payments will be based on actual sales tax monthly receipts from the State Board of Equalization.

\*\*\* Totals may not add up due to rounding

1. Projection of revenues are based on estimate of growth rate on taxable sales as forecasted by SANDAG and excludes interest and prior year excess funds.

2. Distribution of revenue estimates are based on the 2004 Proposition A Extension: San Diego Transportation Improvement Program and Expenditure Plan and apportioned as follows: (a) \$50,000 annual base per agency ; (b) balance distributed on a formula of 2/3 population and 1/3 maintained miles.

3. Population numbers are based on state Department of Finance (DOF) estimates as of January 2016; Maintained miles figures are based on Caltrans 2014 California Public Road Data (July 2016)

4. Revenues are net of estimated commercial paper and/or bond debt service payments

5. EMP to be distributed on a project by project basis; Smart Growth to be allocated for Projects process.

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City Council of the City of National City will hold a Public Hearing after the hour of 6:00 p.m., Tuesday, September 5, 2017, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, CA, to consider **AN AMENDMENT NO. 8 (16-08) TO THE 2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM FOR TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2017 THROUGH 2021 TO ENSURE PROGRAMMING IS CONSISTENT WITH THE LATEST TRANSNET REVENUE FORECAST FOR NATIONAL CITY; PROJECTS INCLUDE PLAZA BOULEVARD WIDENING (NC01), STREET RESURFACING (NC03), TRAFFIC SIGNAL INSTALL / UPGRADES (NC04) AND CITYWIDE SAFE ROUTES TO SCHOOL (NC15).**

Notice is hereby given in accordance with Section 5(A) of the *TransNet* Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31.

Anyone interested in this matter may appear at the above time and place and be heard. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the undersigned, or to the city Council at, or prior to the public hearing.

Michael Dalla, City Clerk



RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
APPROVING AMENDMENT NO. 8 (16-08) TO THE 2016 REGIONAL  
TRANSPORTATION IMPROVEMENT PROGRAM FOR TRANSNET LOCAL  
STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL  
YEARS 2017 THROUGH 2021 TO ENSURE PROGRAMMING IS CONSISTENT  
WITH THE LATEST TRANSNET REVENUE FORECAST FOR NATIONAL CITY;  
THE PROJECTS INCLUDE PLAZA BOULEVARD WIDENING (NC01), STREET  
RESURFACING (NC03), TRAFFIC SIGNAL INSTALL/UPGRADES (NC04),  
AND CITYWIDE SAFE ROUTES TO SCHOOL (NC15); AND AUTHORIZING  
THE ESTABLISHMENT OF A TRANSNET PROPOSITION "A" FUND  
APPROPRIATION OF \$1,021,000 FOR FISCAL YEAR 2018  
AND CORRESPONDING REVENUE BUDGET

WHEREAS, on November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan ("TransNet Extension Ordinance"); and

WHEREAS, the TransNet Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve on a biennial basis a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (TransNet) funds; and

WHEREAS, the City of National City was provided with an estimate of annual TransNet local street improvement revenues for Fiscal Years 2017 through 2021; and

WHEREAS, the City of National City approved its 2016 TransNet Local Street Improvement Program of Projects (POP) on April 19, 2016, through adoption of City Council Resolution No. 2016-55, and the City of National City desires to make adjustments to its POP; and

WHEREAS, on September 5, 2017, the City of National City held a noticed public hearing for an agenda item that clearly identified the proposed amendment prior to approval of the projects by the City Council in accordance with Section 5(A) of the TransNet Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City requests that SANDAG make the following changes to its 2016 POP (the "Amendment"):

*(Remainder of page intentionally left blank)*



Project Name (ID)	Project No.	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Plaza Boulevard Widening (NC01)	6569	\$167,000	\$0	\$0	\$200,000	\$400,000
Street Resurfacing (NC03)	6035	\$172,000	\$400,000	\$400,000	\$400,000	\$500,000
Traffic Signal Install/Upgrades (NC04)*	6558	\$34,000	\$121,000	\$177,000	\$130,000	\$178,000
Citywide Safe Routes to School (NC15)	6166	\$620,000	\$500,000	\$500,000	\$500,000	\$500,000
DRAFT TransNet Revenue Forecast (SANDAG - revised 2/1/2017)	<b>Total</b>	<b>\$993,000</b>	<b>\$1,021,000</b>	<b>\$1,077,000</b>	<b>\$1,230,000</b>	<b>\$1,578,000</b>
* \$8,000 from NC04 will be programmed annually to satisfy National City's fair-share contribution to the Regional Arterial Management System (RAMS).						

BE IT FURTHER RESOLVED that pursuant to Section 2(C)(1) of the TransNet Extension Ordinance, the City of National City certifies that no more than 30 percent (30%) of its annual revenues shall be spent on local street and road maintenance-related projects as a result of the Amendment.

BE IT FURTHER RESOLVED that pursuant to Section 4(E)(3) of the TransNet Extension Ordinance, the City of National City certifies that all new or changed projects, or major reconstruction projects included in the Amendment and funded by TransNet revenues, shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed was clearly noticed as part of the City of National City's public hearing process for the Amendment.

BE IT FURTHER RESOLVED that the City of National City does hereby certify that all applicable provisions of the TransNet Extension Ordinance and SANDAG Board Policy No. 31 have been met.

BE IT FURTHER RESOLVED that the City of National City continues to agree to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to City of National City's TransNet funded projects.

BE IT FURTHER RESOLVED that the City Council authorizes the establishment of appropriations and a corresponding revenue budget in the amount of \$1,021,000 for Fiscal Year 2018.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Alternative resolutions of the City Council of the City of National City to approve or deny a Conditional Use Permit for wholesale auto sales with accessory new car preparation (excluding detailing), car wash, outdoor vehicle storage, electrical and trim

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Alternative resolutions of the City Council of the City of National City to approve or deny a Conditional Use Permit for wholesale auto sales with accessory new car preparation (excluding detail), car wash, outdoor vehicle storage, electrical and trim installation, and employee parking at 2000 Roosevelt Avenue; City Council may approve either of the attached resolutions based on contained findings for denial or approval. (Applicant: Deborah Falk) (Case File No.: 2016-10 CUP)

**PREPARED BY:** Martin Reeder, AICP 

**DEPARTMENT:** Planning

**PHONE:** 619-336-4313

**APPROVED BY:** 

**EXPLANATION:**

The City Council conducted a public hearing on this item at the March 21, 2017 City Council meeting. At the hearing, Council voted to disaffirm the decision of the Planning Commission, which was to deny the Conditional Use Permit (CUP), and direct staff to bring back a resolution to approve a modified CUP limiting the business to wholesale auto sales with accessory new car preparation (including detail), outdoor vehicle storage, electrical and trim installation (optional equipment for new vehicles), and employee parking.

At the May 2, 2017 City Council meeting, the City Council voted to deny the resolution approving the modified CUP. The Council asked staff to return with a resolution denying the CUP request. The resolution was brought back at the June 20, 2017 City Council meeting, but continued to August 15, 2017. Resolutions for both denial and approval were provided to the Council at the public meeting of August 15, 2017; however, no action was taken. Council asked staff to return with a subsequent approval resolution with conditions reflecting the use of non-hazardous and "green"/biodegradable products, as well as spot inspections.

Resolutions for both denial and approval have been attached in an effort to expedite proceedings. Changes between tonight's resolutions and those provided at the August 15, 2017 meeting have been highlighted for ease of review. Adoption of one of the attached resolutions is needed to take action on the item.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ MIS

**ENVIRONMENTAL REVIEW:**

Categorically Exempt pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures)

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the Approval Resolution

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Approval Resolution
2. Denial Resolution



RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
APPROVING A CONDITIONAL USE PERMIT FOR WHOLESALE AUTO  
SALES WITH ACCESSORY NEW CAR PREPARATION (EXCLUDING  
DETAILING), CAR WASH, OUTDOOR VEHICLE STORAGE, ELECTRICAL  
AND TRIM INSTALLATION, AND EMPLOYEE PARKING AT PERRY FORD  
LOCATED AT 2000 ROOSEVELT AVENUE  
(APN: 560-392-11)

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit (“CUP”) for wholesale auto sales with accessory new car preparation (excluding detailing), car wash, outdoor vehicle storage, electrical and trim installation, and employee parking at Perry Ford, located at 2000 Roosevelt Avenue, at a duly advertised public hearing held on November 7, 2016, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing the Planning Commission considered the staff report contained in Case File No. 2016-10 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing, at which time the Planning Commission denied the CUP; and

WHEREAS, the applicant filed a timely appeal of the Planning Commission denial, subject to the provisions contained in National City Municipal Code (“NCMC”) Section 18.12.060; and

WHEREAS, the City Council of the City of National City considered the appeal of the CUP denial at a duly advertised public hearing held on March 21, 2017, at which time oral and documentary evidence was presented; and

WHEREAS, the City Council voted to disaffirm the decision of the Planning Commission and directed staff to return with a resolution approving a modified CUP limiting the business to wholesale auto sales with accessory new car preparation, outdoor vehicle storage, electrical and trim installation, and employee parking; and

WHEREAS, staff provided a resolution disaffirming the decision of the Planning Commission and approving a modified CUP to the City Council at their meeting of May 2, 2017; and

WHEREAS, at the City Council meeting of May 2, 2017, the City Council voted to deny the resolution disaffirming the decision of the Planning Commission and approving a modified CUP, and asked staff to return with a resolution affirming the decision of the Planning Commission to deny the CUP; and

WHEREAS, the City Council did not make findings on May 2, 2017, to support their denial of the CUP resulting in the necessity of the matter having to return to the Council for such further action; and

WHEREAS, an alternative Resolution of approval was provided to the City Council for the public meeting held on August 15, 2017 to give the City Council the ability to take final action on the matter in the event that the Council does not adopt the findings to deny the CUP and instead votes to approve the modified CUP; and

WHEREAS, the City Council did not take action on August 15, 2017, to approve or deny the CUP and instead, by a majority vote, continued the item for consideration to their next regular council meeting on September 5, 2017; and

WHEREAS, the City Council also continued the item for the purpose of a discussion on the environmentally safe products that are required as one of the conditions for approval of the CUP as well as additional information on the materials and activities to be used at the site pursuant to the research by City staff; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of National City that the evidence presented to the City Council at the public meeting held on September 5, 2017, support the following findings:

FINDINGS FOR APPROVAL  
OF THE CONDITIONAL USE PERMIT

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code because the Westside Specific Plan permits automobile sales in the CL zone subject to a Conditional Use Permit, and the proposed accessory uses are customarily found in conjunction with a wholesale automobile sales use. Furthermore, use of the property as automobile sales lot complies with all other provisions of the Westside Specific Plan and the Land Use Code.
2. The proposed use is consistent with the General Plan and any applicable specific plan because the General Plan designates this area as being within the Westside Specific Plan Area. The property is zoned Limited Commercial, which conditionally allows automobile sales, hence this application. The proposal is also consistent with General Plan Policies LU-1.5 and LU-5.1 because the proposal would create jobs and supports an existing employer.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity because the wholesale automobile sales use will utilize both the site and industrial building as it is currently developed, except for improvements within the building and a proposed carport addition. Furthermore, the 1.6-acre lot far exceeds any minimum lot area requirement in the Westside Specific Plan.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints because the proposal for wholesale automobile sales is on a property that is developed and previously used for

industrial uses. A proposed carport addition is the only expansion proposed to the building, which already has access and utilities.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located because the wholesale automobile sales use would operate on a property that is developed for, and previously used by, industrial uses. The use would utilize the existing building and parking lot that already has access and utilities. The 1.6-acre lot size is suitable for the use and far exceeds any lot area requirements for any use in the City.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act and staff has determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes wholesale auto sales with accessory new car preparation (excluding detailing), car wash, outdoor vehicle storage, electrical and trim installation (optional equipment for new vehicles), and employee parking at 2000 Roosevelt Avenue. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit "A", Case File No. 2016-10 CUP, dated September 10, 2016. Uses or activities not specifically included in this condition as being authorized are expressly prohibited without modification of this Conditional Use Permit.
2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees to the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.

4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval, unless extended according to procedures specified in Section 18.12.040 of the National City Municipal Code.

#### Building

5. Plans submitted for improvements must comply with the 2016 edition of the California Building, Electrical, Fire, Plumbing, and Mechanical Codes.

#### Engineering

6. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System ("NPDES") is required to be completed and submitted to the Engineering Department. The checklist is required when a project site is submitted for review by the City and is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP), an approved Standard Urban Storm Water Mitigation Plan (SUSMP) will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
7. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks. Street improvements shall be in accordance with City Standards.
8. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way.

#### Fire

9. A fire sprinkler and alarm system must be designed, approved, installed, and tested to code for this facility.
10. Prior to installation, an application for a fire sprinkler and alarm system must be submitted to and approved by the Fire Department.
11. Plans submitted for improvements must comply with the current editions of the California Fire Code ("CFC") and National Fire Protection Association ("NFPA").
12. In the event that the driveway on Hoover Avenue is abandoned, Fire Department turnaround provisions shall be provided consistent with CFC Appendix "D" (Fire Department Access Roads).

#### Planning

13. The applicant must obtain a business license for this permit to be considered exercised.



14. The applicant shall submit a landscape and irrigation plan showing existing landscaping including additional landscape screening along the street frontages, with particular emphasis along Hoover Avenue. Landscaping shall be installed and/or enhanced to provide screening of the facility from adjacent residential development to the satisfaction of the Planning Department. Missing or dead/damaged landscaping shall be replaced or upgraded to original condition. Installation of new and additional landscaping is required prior to operation.
15. This permit is approved for wholesale auto sales with accessory new car preparation (excluding detailing), car wash, outdoor vehicle storage, electrical and trim installation, and employee parking. This permit must be modified if the current or future applicants or owners wish to operate a retail automobile sales business on the subject property.
16. The new car preparation (excluding detailing), car wash, outdoor vehicle storage, electrical and trim installation, and employee parking uses must remain accessory to a wholesale dealership. No separate business licenses shall be approved for these uses unless the zone changes to allow the uses.
17. The business must maintain a wholesale dealer license with the California Department of Motor Vehicles ("DMV") at all times. Failure to maintain such a license will constitute a violation of the Conditional Use Permit.
18. Unless required for emergency access to the property, the driveway on Hoover Avenue shall be removed and converted to landscaping. No non-emergency ingress or egress shall be provided by Hoover Avenue.
19. The subject business shall conform to all applicable local, state, and federal permitting requirements for storage of any materials associated with the approved use.
20. No hazardous materials may be stored or used at the site.
21. All chemicals and/or cleaning products used in conjunction with authorized activities shall comply with "Green Chemistry" standards as set forth by the United States Environmental Protection Agency and shall be biodegradable.
22. The property owner and/or business owner expressly agrees as a condition of permit approval that the property owner and/or business owner and/or business staff shall submit to spot inspections by City staff conducted at random intervals to ensure compliance with all of the Conditions of Approval.
23. Within 30 days of approval, the applicant shall submit a building permit application for the legalization of the non-permitted carport at the north end of the building on site. No use of the carport is permitted until all required permits are issued and associated construction completed and certified.

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Page Six

BE IT FURTHER RESOLVED that this Resolution shall become effective, final, and conclusive on the day following the City Council meeting where this Resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedures Section 1094.6.

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

ATTEST:

\_\_\_\_\_  
Ron Morrison, Mayor

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
DENYING A CONDITIONAL USE PERMIT FOR WHOLESALE AUTO  
SALES WITH ACCESSORY NEW CAR PREPARATION, OUTDOOR  
VEHICLE STORAGE, ELECTRICAL AND TRIM INSTALLATION, AND  
EMPLOYEE PARKING AT 2000 ROOSEVELT AVENUE  
(APN: 560-392-11)

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit (“CUP”) for wholesale automobile sales, accessory auto repair, detail, and outdoor storage at Perry Ford, located at 2000 Roosevelt Avenue, at a duly advertised public hearing held on November 7, 2016, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing, the Planning Commission considered the staff report contained in Case File No. 2016-10 CUP, which is maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing, at which time the Planning Commission denied the CUP; and

WHEREAS, the applicant filed a timely appeal of the Planning Commission’s denial, subject to the provisions contained in National City Municipal Code (“NCMC”) Section 18.12.060; and

WHEREAS, the City Council of the City of National City considered the appeal of the CUP denial at a duly advertised public hearing held on March 21, 2017, at which time oral and documentary evidence was presented; and

WHEREAS, the City Council voted to disaffirm the decision of the Planning Commission and directed staff to return with a resolution approving a modified CUP limiting the business to wholesale auto sales with accessory new car preparation, outdoor vehicle storage, electrical and trim installation, and employee parking; and

WHEREAS, staff provided a resolution disaffirming the decision of the Planning Commission and approving a modified CUP to the City Council at their meeting of May 2, 2017; and

WHEREAS, at the City Council meeting of May 2, 2017, the City Council voted to deny the resolution disaffirming the decision of the Planning Commission and approving a modified CUP, and asked staff to return with a resolution affirming the decision of the Planning Commission to deny the CUP; and

WHEREAS, an alternative Resolution of approval was provided to the City Council for the public meeting held on August 15, 2017 to give the City Council the ability to take final action on the matter in the event that the Council does not adopt the findings to deny the CUP and instead votes to approve the modified CUP; and

WHEREAS, the City Council did not take action on August 15, 2017, to approve or deny the CUP and instead, by a majority vote, continued the item for consideration to their next regular council meeting on September 5, 2017; and

WHEREAS, the City Council also continued the item for the purpose of a discussion on the environmentally safe products that are required as one of the conditions for approval of the CUP as well as additional information on the materials and activities to be used at the site pursuant to the research of City staff; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of National City that the evidence presented to the City Council at the public meeting held on August 15, 2017, support the following findings:

FINDINGS FOR DENIAL  
OF THE CONDITIONAL USE PERMIT

1. The proposed use is inconsistent with the National City General Plan and the Westside Specific Plan because the proposed wholesale auto sales with accessory new car preparation, outdoor vehicle storage, electrical and trim installation, and employee parking uses are inconsistent with uses established in Appendix "A" of the Westside Specific Plan for properties located in the Limited Commercial ("CL") zone.
2. The operating characteristics of the proposed activity would not be compatible with the existing and future land uses in the vicinity because the wholesale auto sales with accessory new car preparation, outdoor vehicle storage, electrical and trim installation, and employee parking uses are incompatible with adjacent residential development. Furthermore, the City's amortization program within the Westside Specific Plan Area is focused on amortizing businesses whose primary activities are the same as the accessory uses proposed in this case.
3. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located because the wholesale auto sales with accessory new car preparation, outdoor vehicle storage, electrical and trim installation, and employee parking uses would not contribute to the improvement of environmental health conditions for residents in the area, which is encouraged by Guiding Principal No. 2 of the Vision and Guiding Principles section of Chapter 1 of the Westside Specific Plan.

BE IT FURTHER RESOLVED that this Resolution shall become effective, final, and conclusive on the day following the City Council meeting where this Resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedures Section 1094.6.

*[Signature Page to Follow]*



Resolution No. 2017 –  
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Page Three

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City adopting Council Policy 119: Selection of the Vice Mayor. (City Manager)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City adopting Council Policy 119: Selection of the Vice Mayor.

**PREPARED BY:** Stacey Stevenson

**DEPARTMENT:** City Manager

**PHONE:** 336-4308

**APPROVED BY:**



**EXPLANATION:**

Following properly agendized discussions at the regularly scheduled meetings of February 7 and April 4, 2017, the City Council of the City of National City directed staff to develop a policy for the annual selection of the vice mayor. The policy, as drafted, seeks to memorialized the Council's stated desire of a policy that calls for the annual selection of a vice mayor, based upon seniority. Further consistent with Council direction, this policy will become effective as of the 2018 general municipal election.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

N/A

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, is not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt the resolution adopting Council Policy 119: selection of the vice mayor.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Draft Council Policy 119  
Resolution

# CITY COUNCIL POLICY

## CITY OF NATIONAL CITY

<b>TITLE: Selection of the Vice Mayor</b>	<b>POLICY #119</b>
<b>ADOPTED:</b>	<b>AMENDED:</b>

### **Purpose**

Under section 36801 of the California Government Code, the city council shall choose one of its number as mayor pro tempore (here after referred to as vice mayor) at the meeting at which the declaration of the election of results for a general municipal election is made pursuant to sections 10262 and 10263 of the Elections Code. While section 36801 provides that a vice mayor must be selected at least every two years, coinciding with the election cycle, there is no prohibition on a more frequent selection.

The purpose of this policy is to establish the process by which the city council will select the vice mayor and the length of the term.

### **Definition**

Mayor pro tempore – for purposes of this policy and its enforcement, the terms mayor pro tempore and vice mayor shall be interchangeable with National City using the term vice mayor.

### **Policy**

1. Consistent with the provisions of Government Code sections 36801 and 36802, the vice mayor shall be selected by the city council from amongst its members. If the mayor is absent or unable to act, the vice mayor shall serve, with all of the powers and duties of the mayor, until the mayor returns or is able to act.
2. Effective as of the 2018 general municipal election, the vice mayor shall serve a term of one (1) year.
  - a. In those years wherein a general municipal election is held, the vice mayor shall be seated at the city council meeting at which the election results are certified.
  - b. In those years wherein there is no general municipal election, the vice mayor shall be seated at the first regularly scheduled council meeting in December.
3. The vice mayor shall serve on a rotating basis so that each councilmember serves one (1) year as vice mayor during his/her four (4) year term.



**ADOPTED:****AMENDED:**

4. The councilmember chosen to be vice mayor each year shall be the councilmember on the top of the rotation list, which will be established and maintained as follows:
  - a. The vice mayor will be the councilmember with the most seniority who has not been vice mayor in the last three (3) consecutive years.
  - b. In the event two (2) or more councilmembers have equal seniority and have not been vice mayor in the last three (3) consecutive years, the councilmember with the most votes in their last regular general election shall serve as vice mayor.
  - c. After a councilmember has served as vice mayor, he/she will go to the bottom of the rotation list and the others councilmembers will move up one (1) spot.
  - d. Newly elected councilmembers will be placed on the rotation list after the current councilmembers who have not served as vice mayor.
5. Should any councilmember not be available to take their regular place in the established rotation, the next councilmember in the rotation will serve as vice mayor for that term and the rotation will continue as previously established with the councilmember that was “skipped” placed at the bottom of the rotation list.
6. The rotation list shall be maintained by the City Clerk.

**Related Policy References**

None

**Prior Policy Amendments**

None

RESOLUTION NO. 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ADOPTING COUNCIL POLICY 119: SELECTION OF THE VICE MAYOR

WHEREAS, at City Council meetings held on February 7 and April 4, 2017, the City Council discussed creating a policy for the annual selection of the Vice Mayor; and

WHEREAS, City Council Policy No. 119 ("Selection of the Vice Mayor") calls for the annual selection of a vice mayor based on seniority, and will become effective as of the 2018 general municipal election.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby adopts City Council Policy No. 119, entitled "Selection of the Vice Mayor".

PASSED and ADOPTED this 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: Notice of Decision Planning Commission approval of a Conditional Use Permit for the sale and trade of jewelry, gold, and other precious metals at a retail store (Kevin Jewelers) located at 3030 Plaza Bonita Road, Suite 1110. (Applicant: Kaveh Bral) (Case

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.:** 1

**ITEM TITLE:**

Notice of Decision – Planning Commission approval of a Conditional Use Permit for the sale and trade of jewelry, gold, and other precious metals at a retail store (Kevin Jewelers) located at 3030 Plaza Bonita Road, Suite 1110. (Applicant: Kaveh Bral) (Case File 2017-16 CUP)

**PREPARED BY:** Martin Reeder, AICP 

**DEPARTMENT:** Planning 

**PHONE:** 336-4313

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

The business has applied for a Conditional Use Permit (CUP) to buy gold and other precious metals in addition to the primary retail use. The business has 34 store fronts throughout southern California and has recently opened their newest location in Westfield Plaza Bonita. The store is currently conducting retail operations and is looking to expand their services to include secondhand dealing.

The Planning Commission conducted a public hearing on August 21, 2017. The Commissioners asked questions regarding business operations and conditions of approval. The Commission voted to approve the Conditional Use Permit based on required findings and subject to Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Not a project per CEQA

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**BOARD / COMMISSION RECOMMENDATION:**

The Planning Commission approved the Conditional Use Permit.

Ayes: Flores, Garcia, Sendt, Quintero, Yamane      Noes: DelaPaz      Absent: Baca

**ATTACHMENTS:**

- |                                     |                             |
|-------------------------------------|-----------------------------|
| 1. Overhead                         | 3. Resolution No. 2017-20 a |
| 2. Planning Commission Staff Report | 4. Reduced Plans            |



2017-16 CUP – Kevin Jewelers – Overhead





CITY OF NATIONAL CITY - PLANNING DEPARTMENT  
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

**PLANNING COMMISSION STAFF REPORT**

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE SALE AND TRADE OF JEWELRY, GOLD, AND OTHER PRECIOUS METALS AT A RETAIL STORE (KEVIN JEWELERS) LOCATED AT 3030 PLAZA BONITA ROAD SUITE 1110

Case File No.: 2017-16 CUP

Location: 3030 Plaza Bonita Road

Assessor's Parcel Nos.: 564-471-07

Staff report by: Martin Reeder, Principal Planner

Applicant: Kaveh Bral

Zoning designation: MXD-2 (Major Mixed-Use District)

Adjacent zoning:

North: Single Family Residential neighborhood across Sweetwater Road / RS-2 (Small Lot Residential)

East: Residential / County of San Diego

South: Open Space & I-805 / OS (Open Space)

West: Open Space across Plaza Bonita Road / OS

Environmental review: Not a project per California Environmental Quality Act

Staff recommendation: Approve



### **BACKGROUND**

The business has applied for a Conditional Use Permit (CUP) to buy gold and other precious metals in addition to the primary retail use. The business has 34 store fronts throughout southern California and has recently opened their newest location in Westfield Plaza Bonita. The store is currently conducting retail operations and is looking to expand their services to include secondhand dealing.

### **Site Characteristics**

The project location is an existing 1,320 square-foot suite, located in Westfield Plaza Bonita, in the Major Mixed-Use District (MXD-2) zone. The area is adjacent to other commercial uses within the shopping center. A single-family residential neighborhood is located to the north across Sweetwater Road in the Small Lot Residential (RS-2) zone and the community of Bonita in the County of San Diego (Bonita) is located to the east.

### **Proposed Use**

The applicant is proposing to buy, trade, and/or sell used gold, jewelry, and other precious metals. The use would be accessory to the primary retail use. No onsite melting of gold would occur on site and no construction is proposed.

### **Analysis**

Section 18.30.320 of the Land Use Code (LUC) allows for businesses engaged in secondhand dealing and/or the purchase and selling of gold and other precious metals with an approved CUP. Additional requirements for secondhand dealing CUPs include distance requirements, location of the business, and total gross receipts of secondhand dealing.

**Mailing** – All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for most CUP applications. Notice of this public hearing was sent to 151 owners and occupants.

**Distance Requirements** – Chapter 18.030.320 prohibits pawn shops or businesses engaged in secondhand dealing and/or the purchase of gold and other precious metals within 2,000 feet of another such business. No such business is permitted east of Interstate 805, unless it is located within a shopping center of 50,000 square feet or more, which applies in this case. Additionally, no secondhand dealers may be located within 250 feet of a residential zone. The closest residential zone in this case is approximately 450 feet away.

**Required findings**

The Municipal Code contains required findings for CUPs. There are six required findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for secondhand dealing sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Secondhand dealing is permitted, subject to a CUP, by the LUC, which is consistent with the General Plan. A retail use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character element of the General Plan. In addition, the property is not within a Specific Plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the suite is proposed. The proposal involves an existing retail business in an existing commercial space, which was already analyzed for traffic impacts when it was constructed. In addition, because secondhand dealing would be accessory to retail sales, no measurable increase in traffic is expected.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed secondhand dealing would be accessory to a retail use, which is located in an existing commercial area. The addition of secondhand dealing is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially



injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use will be subject to conditions limiting secondhand dealing to an accessory use only; prohibiting pawning, melting of gold or other precious metals, and requiring appropriate reporting of secondhand items purchased from customers. These conditions will ensure responsible and lawful operation with regard to secondhand dealing and/or the purchase and selling of gold and other precious metals.

The proposed use will provide an opportunity for persons to attempt to sell stolen property consisting of gold and other precious metals. This is unlikely, both due to the history of compliance of the business in its multiple locations, and because of the attached Conditions of Approval, as discussed below. In addition, the business owner has a secondhand dealer license for their existing businesses.

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.

#### **Department and Agency comments**

##### **Police Department**

The Police Department provided comments on the CUP application and stated that the business is in compliance with the California state mandated reporting requirements, including fingerprinting, and operates under the Department of Justice California Pawn & Secondhand Dealer System (CAPSS). In addition, the applicant stated to the Police Department that they do not take items on consignment or make loans in lieu of purchase.

If approved, conditions of approval require continued compliance with these requirements. Also, as mentioned above, the business owner has a secondhand dealer license for their existing businesses.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to secondhand dealing, including total gross receipts of precious metals purchased or taken for credit not exceeding 50 percent of total retail sales of precious metals, as well as the business obtaining a secondhand dealer license.

Summary

The proposed use is consistent with the General Plan because secondhand dealing is a conditionally-allowed use in the MXD-2 zone. The proposed use would be accessory to the retail use in a commercial area, which is not expected to increase the demand for parking or other services on the property. The addition of secondhand dealing is not expected to have any significant effects on the area.

OPTIONS

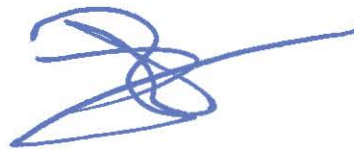
1. Approve 2017-16 CUP subject to the attached conditions, and based on attached findings or other findings as determined by the Planning Commission; or
2. Deny 2017-16 CUP based on the attached finding or other findings as determined by the Planning Commission; or,
3. Continue the item for additional information.

**ATTACHMENTS**

1. Recommended Findings
2. Recommended Conditions
3. Overhead
4. Police Department Comments
5. Public Hearing Notice (mailed to 151 property owners and occupants)
6. Applicant's Plans (Exhibit A, Case File No. 2017-16 CUP, dated 7/10/2017)
7. Resolutions for approval and denial



MARTIN REEDER, AICP  
Principal Planner



BRAD RAULSTON  
Deputy City Manager



**RECOMMENDED FINDINGS FOR APPROVAL**  
**2017-16 CUP – 3030 Plaza Bonita Road Suite 1110**

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for secondhand dealing sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because secondhand dealing is permitted, subject to a CUP, by the LUC, which is consistent with the General Plan; a retail use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character element of the General Plan; and the property is not within a Specific Plan area.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the suite is proposed; the proposal involves an existing retail business in an existing commercial space, which was already analyzed for traffic impacts when it was constructed; and because secondhand dealing would be accessory to retail sales, no measurable increase in traffic is expected.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed secondhand dealing would be accessory to a retail use, which is located in an existing commercial area, and because the addition of secondhand dealing is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions limiting secondhand dealing to an accessory use only, prohibiting pawn, prohibiting melting of gold precious metals, and requiring appropriate reporting of secondhand items purchased from customers. These conditions will ensure responsible and lawful operation with regard to secondhand dealing and/or the purchase and selling of gold and other precious metals.



6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA), because the project is not considered a project under CEQA, as no development is proposed, and because the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones.

**RECOMMENDED FINDING FOR DENIAL**

2017-16 CUP – 3030 Plaza Bonita Road Suite 1110

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will provide an opportunity for persons to attempt to sell stolen property consisting of gold and other precious metals.

**RECOMMENDED CONDITIONS OF APPROVAL**  
2017-16 CUP – 3030 Plaza Bonita Road, Suite 1110

**General**

1. This Conditional Use Permit authorizes secondhand dealing at an existing retail business located at 3030 Plaza Bonita Road. Plans submitted for permits associated with this project shall conform to Exhibit A, case file no. 2017-16 CUP, dated 7/10/2017.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.

**Planning**

6. The buying, trade, and/or sale of secondhand gold, jewelry, and other precious metals shall only be permitted as accessory to a legitimate retail business that sells as new the item(s) in question as its primary business function.
7. Total gross receipts of gold and other precious metals purchased or taken for credit shall not exceed fifty percent of total retail sales of such items.

8. The business shall maintain a secondhand dealer license and shall abide by state-mandated reporting requirements for secondhand tangible personal property as required in the Business and Professions Code.
9. No melting down of any gold or precious metals may occur on site.
10. No items shall be taken in for pawn or other type of collateralized loan.

## Jessica Madamba

---

**From:** Tom DiZinno  
**Sent:** Thursday, July 13, 2017 3:28 PM  
**To:** Jessica Madamba  
**Cc:** Jose Tellez; Christopher Cameon; Yolanda Felix; Daryn Beauchesne  
**Subject:** Second Hand License for Kevin's Jewelers at Plaza Bonita

I interviewed Erick Andreas Escobar, the new manager of Kevin's Jewelers at Plaza Bonita about the second hand dealers permit request. Their sole intent for the license is to buy gold. They have multiple locations in the county, El Cajon, Los Americas, and Escondido. In each location they follow the State of California mandate for second hand dealers purchase of gold. They take a thumb print, copy the DL, fill out a pawn slip and file with the individual law enforcement agency. I asked them if they are going to use the State's new CAPPS system? He was unaware of it. I will follow-up with the owner and insure they use the state database if affordable for them. I see no reason to hold up their license. They do not take items on consignment or make loans in lieu of purchase.

Tom

Tom Di Zinno P.C.I.  
Investigator/NCPD  
Economic Crimes/Homicide  
[tdizinno@nationalcityca.gov](mailto:tdizinno@nationalcityca.gov)  
(619)336-4473 D (619)336-4479 F



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## Jessica Madamba

---

**From:** Tom DiZinno  
**Sent:** Tuesday, July 18, 2017 5:23 PM  
**To:** Jessica Madamba  
**Cc:** Jose Teilez; Christopher Cameon; Yolanda Felix  
**Subject:** Kevin's Jewelers - Additional Note

I talked with Keval Bral, the owner of Kevin's Jewelers. They are currently using the new DOJ CAPPS program to register all gold sellers. So they are in total compliance and should be granted the second hand dealers license.

tom

Tom Di Zinno P.C.I.  
Investigator/NCPD  
Economic Crimes/Homicide  
[tdizinno@nationalcityca.gov](mailto:tdizinno@nationalcityca.gov)  
(619)336-4473 D (619)336-4479 F



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CITY OF NATIONAL CITY - PLANNING DEPARTMENT  
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR THE SALE AND TRADE OF  
JEWELRY, GOLD, AND OTHER PRECIOUS METALS  
AT A RETAIL STORE (KEVIN JEWELER'S) LOCATED AT  
3030 PLAZA BONITA ROAD SUITE 1110.  
CASE FILE NO.: 2017-16 CUP  
APN: 564-471-07

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, August 21, 2017**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Kaveh Bral)

The applicant is proposing to buy, trade, and/or sell secondhand gold, jewelry, and other precious metals, at an existing 1,320 square-foot jewelry store in Westfield Plaza Bonita.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., **August 21, 2017** by the Planning Department, who can be contacted at 619-336-4310 or [planning@nationalcityca.gov](mailto:planning@nationalcityca.gov).

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

  
BRAD RAULSTON  
Deputy City Manager

**RESOLUTION NO. 2017-20 a**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING  
A CONDITIONAL USE PERMIT FOR THE SALE AND TRADE OF  
JEWELRY, GOLD, AND OTHER PRECIOUS METALS AT  
A RETAIL STORE (KEVIN JEWELERS) LOCATED AT  
3030 PLAZA BONITA ROAD SUITE 1110.  
CASE FILE NO. 2017-16 CUP  
APN: 561-471-07**

WHEREAS, the Planning Commission of the City of National City considered a Conditional Permit for the sale and trade of jewelry, gold, and other precious metals at a retail store (Kevin Jewelers) located at 3030 Plaza Bonita Road, suite 1110 at a duly advertised public hearing held on August 21, 2017, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2017-16 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 21, 2017, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for secondhand dealing sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because secondhand dealing is permitted, subject to a CUP, by the LUC, which is consistent with the General Plan; retail use is consistent with -



the Major Mixed-Use land use designation contained in the Land Use and Community Character element of the General Plan; and the property is not within a Specific Plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the suite is proposed; the proposal involves an existing retail business in an existing commercial space, which was already analyzed for traffic impacts when it was constructed; and because secondhand dealing would be accessory to retail sales, no measurable increase in traffic is expected.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed secondhand dealing would be accessory to a retail use, which is located in an existing commercial area, and because the addition of secondhand dealing is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions limiting secondhand dealing to an accessory use only, prohibiting pawn, prohibiting melting of gold precious metals, and requiring appropriate reporting of secondhand items purchased from customers. These conditions will ensure responsible and lawful operation with regard to secondhand dealing and/or the purchase and selling of gold and other precious metals.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA), because the project is not considered a project under CEQA, as no development is proposed, and because the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes secondhand dealing at an existing retail business located at 3030 Plaza Bonita Road. Plans submitted for permits associated-



with this project shall conform to Exhibit A, case file no. 2017-16 CUP, dated 7/10/2017.

2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.

#### Planning

6. The buying, trade, and/or sale of secondhand gold, jewelry, and other precious metals shall only be permitted as accessory to a legitimate retail business that sells as new the item(s) in question as its primary business function.
7. Total gross receipts of gold and other precious metals purchased or taken for credit shall not exceed fifty percent of total retail sales of such items.
8. The business shall maintain a secondhand dealer license and shall abide by state-mandated reporting requirements for secondhand tangible personal property as required in the Business and Professions Code.
9. No melting down of any gold or precious metals may occur on site.
10. No items shall be taken in for pawn or other type of collateralized loan.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission -

resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

**CERTIFICATION:**

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 21, 2017, by the following vote:

**AYES:** Flores, Garcia, Sendt, Quintero, Yamane

**NAYS:** Dela Paz

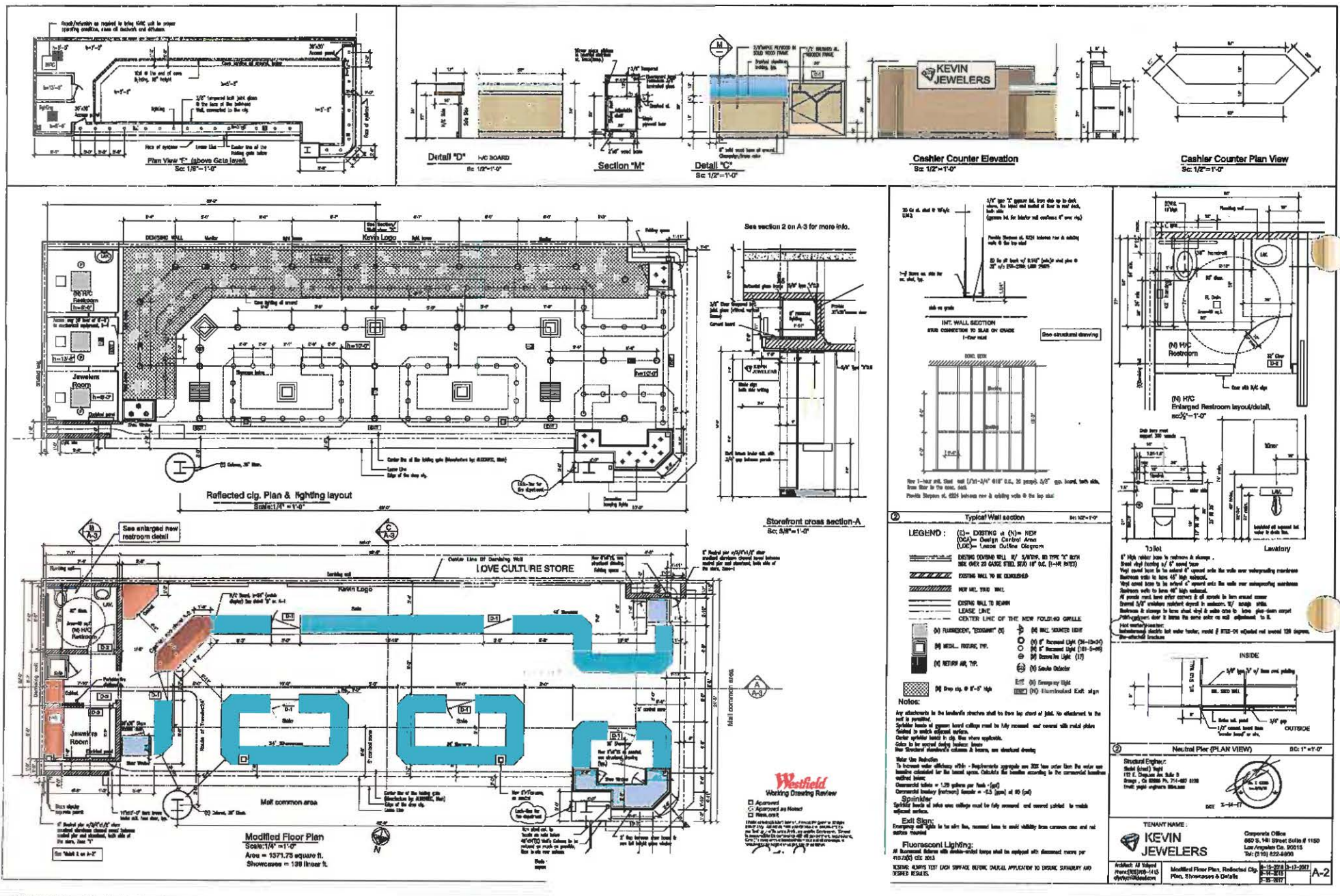
**ABSENT:** Baca

**ABSTAIN:** None.

  
CHAIRPERSON



EXHIBIT: A  
CASE FILE NO.: CUP 2017-16  
DATE: 7/10/2017





[illegible]

\* Winters's general view was that his relationship with his brother's company depended upon his brother's openness and cooperation as partner representative for the company

\* Winters was not convinced that his brother was not being open and cooperative with him as brother's company representative for the company

\* Winters's conductor of his investigation into the company's financial plans, including the company's number, all developed from his own investigation

\* Winters could not recall any particular date or time of a claim of his brother's relying

\* Winters was not convinced that his brother was not being open and cooperative with him as brother's company representative for the company

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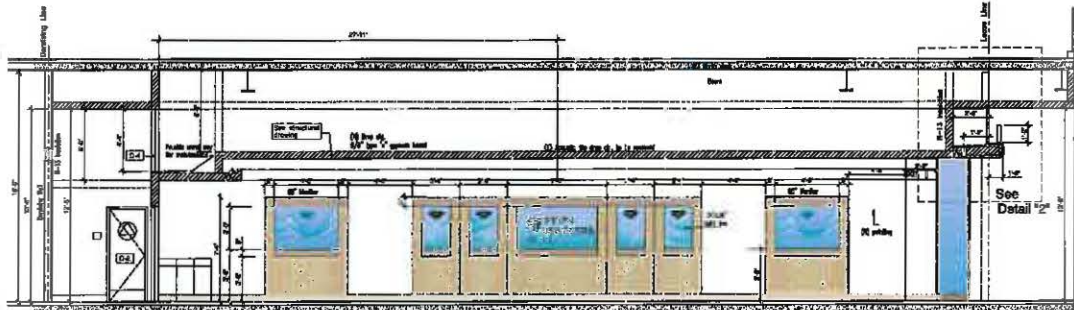
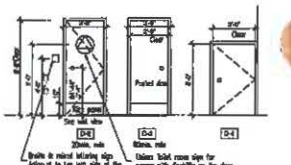
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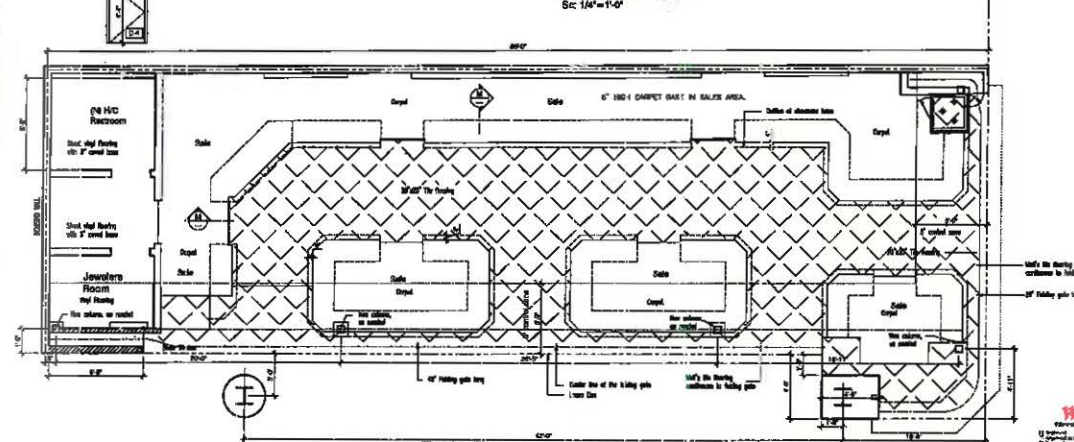
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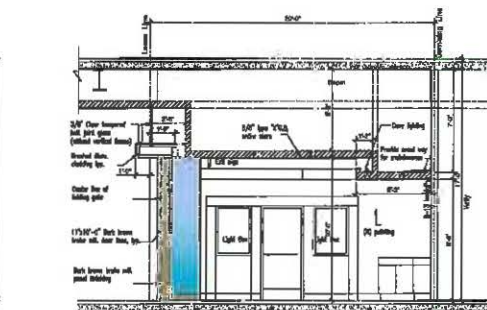
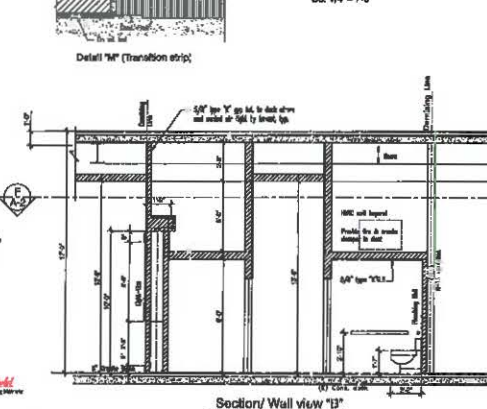
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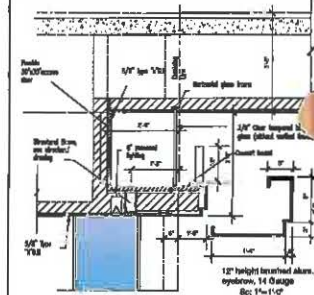
Section/ Wall view "A"  
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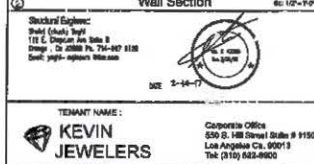
### Flooring Plan

Section/ Wall view °C  
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
Section/ Wall  
St: 1/4" to 1'-0"



**Well-Ordering**



### 2. Results

**TENANT NAME:**  **KEVIN JEWELERS**  
 Corporate Office  
 530 S. Hill Street Suite # 1150  
 Los Angeles CA, 90013  
 Tel: (310) 622-8900

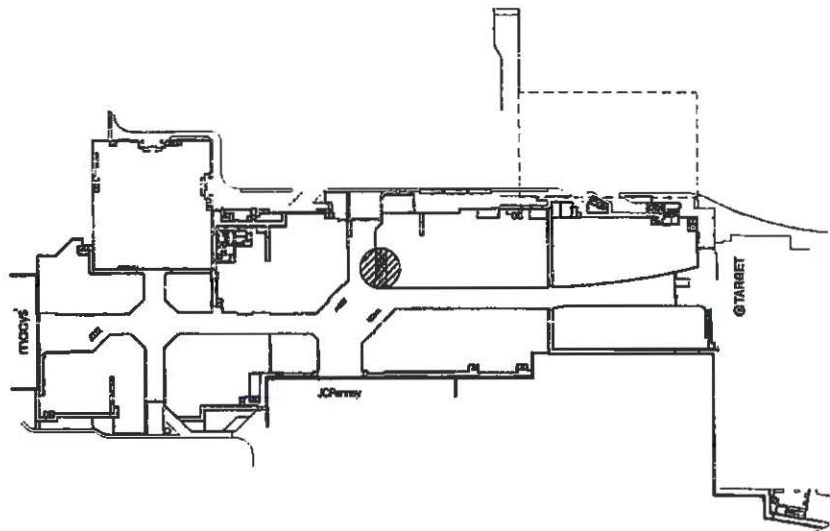
**Check All You'd Like To See:**  
 (N) Finish Flooring Plan, Interior  
 wall View, Notes & Details

**8-15-2016**  
**3-17-2017**  
**3-28-2017**

**A**



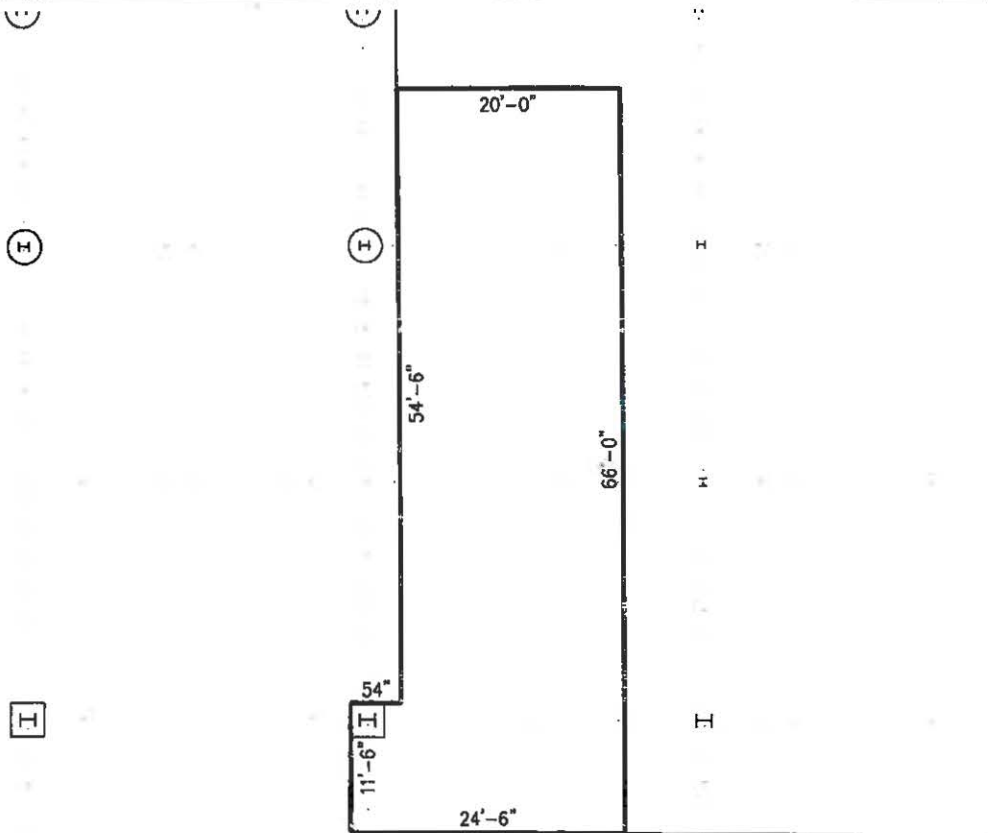




The document is diagrammatic and is intended only to show the demised premises of the project (hatched area.) It does not purport to show exact dimensions nor the final location of any mechanical, electrical, structural or architectural element. Further, the landlord reserves the right to add, eliminate or modify any such element, as

may be required from time to time. Tenant space dimensions, unless otherwise noted are to the centerlines of tenant partitions and column grids, face of exterior walls and to the outside face of service area partitions adjacent to the tenant space (vz. corridors, closets, and stairs.)

VERSION G



PLAZA BONITA

Level 1

06/20/16

1110

KEVIN JEWELERS



1,372 S.F.

EXHIBIT  
A2

The following page(s) contain the backup material for Agenda Item: City Council Review of League of California Cities 2017 Annual Conference Resolutions: "A Resolution of the League of California Cities calling upon the Governor and Legislature to enter into discussion with League and other Public Safety stakeholders to



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** September 5, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:** City Council review of League of California Cities 2017 Annual Conference Resolutions: "A Resolution of the League of California Cities calling upon the Governor and Legislature to enter into discussion with League and other Public Safety stakeholders to identify and implement strategies that will reduce the unintended negative impacts of existing criminal law"; and, "A Resolution of the League of California Cities supporting Legislation amending Government Code Section 38611 to clarify the definition of Local Control providing broad statutory authority for local officials to determine Emergency Service levels and direct Emergency Medical Response within their jurisdictions"

**PREPARED BY:** Leslie Deese, City Manager

**DEPARTMENT:** City Manager

**PHONE:** 619.336.4242

**APPROVED BY:** 

**EXPLANATION:**

Please see attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

City Council consider the League's resolutions and determine National City's position so that our voting delegates can represent the City's position during the League conference from September 13-15 in Sacramento, CA

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

- 1) Staff Report
- 2) League of California Cities 2017 Annual Conference Resolutions Packet



**Staff Report: City Council review of League of California Cities 2017 Annual Conference Resolutions: “A Resolution of the League of California Cities calling upon the Governor and Legislature to enter into discussion with League and other Public Safety stakeholders to identify and implement strategies that will reduce the unintended negative impacts of existing criminal law”; and, “A Resolution of the League of California Cities supporting Legislation amending Government Code Section 38611 to clarify the definition of Local Control providing broad statutory authority for local officials to determine Emergency Service levels and direct Emergency Medical Response within their jurisdictions”**

This year’s League of California Cities Annual Conference will be held September 13-15 in Sacramento. Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities and the League is through the League’s eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

On June 20, 2017, the City Council voted to appoint Mayor Morrison as the voting delegate and Vice Mayor Mendivil as alternate to represent National City at the 2017 League General Assembly Meeting. The meeting will be held at 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center.

At the Annual Conference, the League will consider two resolutions, the details of which are provided in the attached information packet. Also provided for the City Council’s information are staff’s comments on the proposed resolutions, as they relate to National City:

1. **A Resolution of the League of California Cities calling upon the Governor and Legislature to enter into discussion with League and other Public Safety stakeholders to identify and implement strategies that will reduce the unintended negative impacts of existing criminal law**

*National City Staff Comments – Chief of Police: Recommends SUPPORT. It’s important from a law enforcement perspective to ensure the safety of our community by finding new ways and strategies to address the negative impacts of existing changes to criminal laws; therefore, the League resolution should be supported.*

2. **A Resolution of the League of California Cities supporting Legislation amending Government Code Section 38611 to clarify the definition of Local Control providing broad statutory authority for local officials to determine Emergency Service levels and direct Emergency Medical Response within their jurisdictions**

*National City Staff Comments – Director of Emergency Services: Recommends SUPPORT. The City of National City is currently obligated to have the County EMS*

*authority run our next Paramedic RFP. We believe this resolution, if passed, may someday bring back full control to the City where it belongs.*

*As background, the County of San Diego is a political subdivision of the State of California. State law confers on the County's Local Emergency Medical Services Agency (LEMSA) the authority to designate exclusive operating areas (EOA) and to select its emergency ambulance service providers through a competitive process.*

*The County of San Diego will work with National City but as of yet they still have not defined the process. The proposed legislation would be the first step in moving the City closer to being in full control of future Paramedic RFP's and allow the City Council to direct or accept the Fire Chiefs/Director's recommendation on levels of service..*

The League encourages city councils to consider the resolution and determine a city position so their voting delegate(s) can represent its position during the conference, and/or provide a report back to their council on action taken by the League on the resolution. If there is any particular direction that the City Council would like to provide, direction tonight would be appropriate.

Some Councils just allow their voting delegates to "vote your conscience" since the measures tend to get modified during the policy committee process. Others like to provide specific direction to vote for or against a particular resolution. There is no requirement that the City Council discuss or take action on each issue.

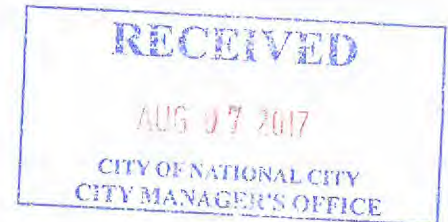


1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

July 26, 2017

TO: Mayors, City Managers and City Clerks  
League Board of Directors

RE: Annual Conference Resolutions Packet  
Notice of League Annual Meeting



Enclosed please find the 2017 Annual Conference Resolutions Packet.

**Annual Conference in Sacramento.** This year's League Annual Conference will be held September 13 - 15 in Sacramento. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at [www.cacities.org/ac](http://www.cacities.org/ac). We look forward to welcoming city officials to the conference.

**Closing Luncheon/General Assembly - Friday, September 15, 12:30 p.m.** The League's General Assembly Meeting will be held at the Sacramento Convention Center.

**Resolutions Packet.** At the Annual Conference, the League will consider two resolutions introduced by the deadline, Saturday, July 15, 2017, midnight. The resolutions are included in this packet. Resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. These letters of concurrence are included with this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider the resolutions and to determine a city position so that your voting delegate can represent your city's position on the resolution. A copy of the resolution packet is posted on the League's website for your convenience: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

The resolutions packet contains additional information related to consideration of the resolutions at the Annual Conference. This includes the date, time and location of the meetings at which the resolutions will be considered.

**Voting Delegates.** Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the General Assembly Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. If your city has not yet appointed a voting delegate, please contact Meg Desmond at (916) 658-8224 or email: [mdesmond@cacities.org](mailto:mdesmond@cacities.org).

**Please Bring This Packet to the Annual Conference  
September 13 - 15, Sacramento**





*Annual Conference  
Resolutions Packet*

*2017 Annual Conference Resolutions*



*Sacramento, California  
September 13 – 15, 2017*



## INFORMATION AND PROCEDURES

**RESOLUTIONS CONTAINED IN THIS PACKET:** The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees.

**POLICY COMMITTEES:** One policy committee will meet at the Annual Conference to consider and take action on the resolutions referred to it. The committee is Public Safety. The committee will meet from 9:00 – 11:00 a.m. on Wednesday, September 13, at the Hyatt Regency. The sponsors of the resolutions have been notified of the time and location of the meeting.

**GENERAL RESOLUTIONS COMMITTEE:** This committee will meet at 1:00 p.m. on Thursday, September 14, at the Hyatt Regency in Sacramento, to consider the report of the policy committee regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

**ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY:** This meeting will be held at 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center.

**PETITIONED RESOLUTIONS:** For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 14. Resolutions can be viewed on the League's Web site: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: [mdesmond@cacities.org](mailto:mdesmond@cacities.org) or (916) 658-8224

## **GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS**

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

### **Guidelines for Annual Conference Resolutions**

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
  - (a) Focus public or media attention on an issue of major importance to cities.
  - (b) Establish a new direction for League policy by establishing general principles around which more detailed policies may be developed by policy committees and the board of directors.
  - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
  - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

## LOCATION OF MEETINGS

### **Policy Committee Meetings**

Wednesday, September 13  
Hyatt Regency Sacramento  
1209 L Street, Sacramento  
**9:00 – 11:00 a.m.:** Public Safety

### **General Resolutions Committee**

Thursday, September 14, 1:00 p.m.  
Hyatt Regency Sacramento  
1209 L Street, Sacramento

### **Annual Business Meeting and General Assembly Luncheon**

Friday, September 15, 12:30 p.m.  
Sacramento Convention Center  
1400 J Street, Sacramento

### KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3
		1 - Policy Committee Recommendation to General Resolutions Committee		
		2 - General Resolutions Committee		
		3 - General Assembly		

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### PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws			
2	Local Control for Emergency Medical Response			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: [www.cacities.org](http://www.cacities.org). The entire Resolutions Packet will be posted at: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

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## KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

### KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

### KEY TO ACTIONS TAKEN

- A Approve
- D Disapprove
- N No Action
- R Refer to appropriate policy committee for study

### ACTION FOOTNOTES

\* Subject matter covered in another resolution

\*\* Existing League policy

\*\*\* Local authority presently exists

a Amend+

Aa Approve as amended+

Aaa Approve with additional amendment(s)+

Ra Refer as amended to appropriate policy committee for study+

Raa Additional amendments and refer+

Da Amend (for clarity or brevity) and Disapprove+

Na Amend (for clarity or brevity) and take No Action+

W Withdrawn by Sponsor

### Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

## 2017 ANNUAL CONFERENCE RESOLUTIONS

### RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

- 1. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND OTHER PUBLIC SAFETY STAKEHOLDERS TO IDENTIFY AND IMPLEMENT STRATEGIES THAT WILL REDUCE THE UNINTENDED NEGATIVE IMPACTS OF EXISTING CRIMINAL LAW**

Source: City of Whittier

Concurrence of five or more cities/city officials: Cities: La Mirada; Lakewood; Monrovia; Pico Rivera; Rolling Hills; Santa Fe Springs; and South Gate

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

**WHEREAS**, during the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Many of those changes have been needed and necessary, as not all crimes should be punished with jail sentences; and

**WHEREAS**, California cities, counties, and the State, however, are facing increased crime which endangers the health and safety of police officers, residents, business owners, and property due to some of these legislative changes which created a situation where violent and career criminals are serving little to no prison time; and

**WHEREAS**, negative impacts from State legislative changes have been far reaching and crime rates and the number of victims are skyrocketing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders; and

**WHEREAS**, incentives for offenders to voluntarily enroll in substance abuse programs have diminished, which has had the effect of eroding the safety of our communities; and

**WHEREAS**, AB 109 transferred nearly 45,000 felons from the State prison system to local jail facilities, which were not designed to house criminals on a long-term basis and were unprepared for such an increase in incarcerations, resulting in lower-level criminals being released early, directly impacting rising property crime rates throughout the State; and

**WHEREAS**, many probationers who have severe mental illness are released into communities where they continue to commit crimes that adversely impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

**WHEREAS**, Proposition 47, The Safe Neighborhoods and Schools Act, downgraded a number of serious crimes from felonies to misdemeanors—drug possession, repeated shoplifting, forging checks, gun theft, and possession of date-rape drugs; and

**WHEREAS**, Proposition 57 categorizes rape by intoxication, rape of an unconscious person, human trafficking involving sex with minors, drive-by shooting, assault with a deadly weapon, domestic violence, hate crime causing physical injury, and corporal injury to a child as “non-violent” felonies and offenders convicted of violating such laws are able to avoid appropriate prison sentences; and

**WHEREAS**, under Proposition 57, criminals who commit multiple crimes against multiple victims will be eligible for release at the same time as offenders who only committed a single crime against a single victim and allows repeat criminals to be eligible for release after the same period of incarceration as first time offenders; and

**WHEREAS**, cities must join together to voice their concerns for these legislative changes that have created an adverse impact on the safety of residents and businesses in local communities.

**NOW, THEREFORE, BE IT RESOLVED** by the General Assembly of the League of California Cities, assembled in Sacramento on September 15, 2017, to:

1. Direct League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent and future criminal law based on appropriate documentation by local agencies to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.
2. Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.
3. Continue to advocate to place into law that for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following:
  - Murder or voluntary manslaughter.
  - Mayhem.
  - Rape.
  - Sodomy by force, violence, duress, menace, or threat of great bodily harm.
  - Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
  - Lewd acts on a child under the age of 14 years.
  - Any felony punishable by death or imprisonment in the state prison for life.
  - Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven.
  - Attempted murder.
  - Assault with intent to commit rape or robbery.

- Assault with a deadly weapon or instrument on a peace officer.
  - Assault by a life prisoner on a non-inmate.
  - Assault with a deadly weapon by an inmate.
  - Arson.
  - Exploding a destructive device or any explosive with intent to injure.
  - Exploding a destructive device or any explosive causing great bodily injury.
  - Exploding a destructive device or any explosive with intent to murder.
  - Robbery.
  - Kidnapping.
  - Taking of a hostage by an inmate of a state prison.
  - Attempt to commit a felony punishable by death or imprisonment in the state prison for life.
  - Any felony in which the defendant personally used a dangerous or deadly weapon.
  - Escape from a state prison by use of force or violence.
  - Assault with a deadly weapon.
  - Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22.
  - Carjacking.
  - Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
  - Throwing acid or flammable substances with intent to injure.
  - Continuous sexual abuse of a child.
4. Request the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.
  5. Encourage the collection and organization of real world data from cities and counties on the universe of post-release community supervision (PRCS) offenders.
  6. Encourage cities throughout California to join in these advocacy efforts to mitigate the unintended negative impacts of recent policy changes to the criminal justice system.
  7. Call for the Governor and the Legislature to work with the League and others stakeholders to consider and implement such criminal justice system reforms.

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## **Background Information on Resolution No. 1**

**Source:** City of Whittier

### **Background:**

During the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Some changes have been needed, as not all crimes should be punished with jail sentences. These changes included AB 109 as well as Propositions 47 and 57.

Approved in 2011, AB 109 was approved, transferring nearly 45,000 felons from the State prison system to local jail systems, resulting in lower-level criminals being released early. Then, Proposition 47, so called The Safe Neighborhoods and Schools Act, was approved by California voters in 2014. It reclassified and downgraded a number of serious crimes from felonies to misdemeanors. Similarly, Proposition 57, called The Public Safety and Rehabilitation Act, was approved by voters in 2016 and allows the State to provide for the release of up to 30,000 criminals convicted of "non-violent" felonies, including rape by intoxication, driveby shooting, human trafficking involving sex act with minors, assault with a deadly weapon, to name a few. Additionally, under Prop 57 repeat criminals are eligible for release after the same period of incarceration as first time offenders.

Now, California cities and counties are facing increasing crime rates which are being connected to these legislative actions which created a situation where violent and career criminals are serving little to no prison time while low-level offenders commit multiple crimes with limited consequences. This increasing level of crime endangers the health and safety of our residents, police officers, and property. Negative impacts from these State legislative changes have been far reaching, and crime rates and the number of victims are increasing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders.

As an example, the Public Policy Institute of California reports since 2015:

- California has experienced an uptick in overall crime
- Property crime is up 145%, violent crime up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB109

To make matters even worse, during the past two years we've seen officers shot, wounded and killed in communities throughout California including Whittier, Downey, Lancaster, Palm Springs, San Diego, Stanislaus County, and Modoc County. Further, the number of U.S. police officers killed in the line of duty hit a five-year high in 2016. The National Law Enforcement Officers Memorial Fund's preliminary report shows that this year's 135 fatalities were a 10% increase over the 123 officers who died in the line of duty last year.

When taken together the increases in crime in our communities and reductions in arrests for many crimes plus violent attacks against police officers underscores the need for a call to action amongst California's state and local leaders. This conference resolution is an important first step and seeks to initiate both a dialogue as well as actions to begin reforming California's criminal justice system by requesting that League staff analyze the negative impacts of recent criminal law, identify necessary changes, and work with stakeholders to promote support for such advocacy efforts. The resolution also calls on the Governor, Legislature, cities, and other stakeholders to work together toward reforms.

The resolution contains three specific reforms:

1. Address Issues with AB 109

The conference resolution promotes the amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.

2. Revise the Definition of Violent Crime

The resolution calls for the League to advocate to place into law for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following crimes:

- Murder or voluntary manslaughter
- Mayhem
- Rape
- Sodomy by force, violence, duress, menace, or threat of great bodily harm
- Oral copulation by force, violence, duress, menace, or threat of great bodily harm
- Lewd acts on a child under the age of 14 years
- Any felony punishable by death or imprisonment in the state prison for life
- Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven
- Attempted murder
- Assault with intent to commit rape or robbery
- Assault with a deadly weapon or instrument on a peace officer
- Assault by a life prisoner on a non-inmate
- Assault with a deadly weapon by an inmate
- Arson
- Exploding a destructive device or any explosive with intent to injure
- Exploding a destructive device or any explosive causing great bodily injury
- Exploding a destructive device or any explosive with intent to murder
- Robbery
- Kidnapping
- Taking of a hostage by an inmate of a state prison

- Attempt to commit a felony punishable by death or imprisonment in the state prison for life
- Any felony in which the defendant personally used a dangerous or deadly weapon
- Escape from a state prison by use of force or violence
- Assault with a deadly weapon
- Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22
- Carjacking
- Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
- Throwing acid or flammable substances with intent to injure.
- Continuous sexual abuse of a child.

### 3. Data Sharing

The resolution requests the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

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### League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie  
Committee: Public Safety

#### Summary:

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (for example, discharging a firearm from a motor vehicle).

This Resolution would direct staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate’s entire criminal history as part of the deliberations involving whether to grant individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

**Background:**

Since 2011, changes in state law, starting with AB 109, altered the fabric of California's criminal justice system. In 2011, AB 109 began to shift nearly 45,000 felons from the state prison system to local county jails. Prior to AB 109, many of California's more heavily populated counties already had jail systems that were operating under court-ordered or self-imposed population caps. As a result, AB 109 implementation triggered changes in that county jails experienced over time an influx of a rougher class of offender, and many lower level petty criminals committing new offenses were simply booked and released, serving no jail time at all.

Proposition 47 followed in 2014, reclassifying a host of felony offenses as misdemeanors and increasing the threshold amount for a felony charge of grand theft from \$450.00 to \$900.00. The effect of this change was to significantly stimulate the volume of petty theft, shoplifting, auto theft, and organized retail theft (shoplifting involving multiple persons with cell phones, designated getaway drivers, and a pre-determined escape route often involving a short trip to a major highway). Proposition 57, approved by voters in 2016, facilitates the potential early release of a large number of "non-violent" offenders by providing that inmates are eligible for parole once they have served 100% of their base sentence, without regard to any time served as a result of any sentencing enhancements. The universe of "non-violent" offenders could include individuals who have committed the following offenses: rape by intoxication, attempted drive-by shooting, assault with a deadly weapon, throwing acid with the intent to disfigure, to name but a few offenses. Since current law defines a "non-violent offender" based on the individual's most recent commitment offense, even if the individual is a repeat offender, the State Parole Board must still consider that person's parole application.

This state of affairs includes factors such as a higher proportion of offenders at large on our city streets, many of whom have had little in the way of rehabilitation programming while incarcerated, some with drug habits, who are more violent now than when initially incarcerated. Unless they engage in major illegal activity (murder, rape, arson, armed robbery), the available sanctions for any violations they commit, such as flash incarceration, i.e. temporary incarceration for 48-72 hours in a city or county jail, scarcely provide a meaningful deterrent to further criminal activity.

Communities in California are now facing increasing crime rates which can be linked to these recent legislative changes, which probation officers and local law enforcement are struggling to monitor and contain a situation in which a dramatically increase universe of offenders are at large in our communities.

The Public Policy Institute of California reports that since 2015:

- California has experienced an increase in overall crime
- Property crime is up 145%
- Violent crime is up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB 109



**Support:**

Cities of La Mirada, Lakewood, Monrovia, Pico Rivera, Rolling Hills, Santa Fe Springs, and South Gate

**Opposition:**

None received.

**Fiscal Impact:**

The collective and cumulative effect of the current criminal justice policies has led to increased pressure on county general funds for increased resources for probation supervision and incarceration in county jails, as well as identical pressure on municipal general funds related to increased law enforcement activity and in some areas, increased emergency medical services calls. Should the objectives outlined by the resolution be achieved, those pressures will be alleviated to a significant but undetermined amount.

**Comment:**

This measure is a response to a trend of rapidly mounting frustration among cities beset by calls for more law enforcement resources as a result of ongoing, sustained criminal activity. There is a growing sense among law enforcement professionals and local elected officials that current policies which have reduced criminal penalties, reclassified felonies as misdemeanors and facilitated what amounts to early release of many offenders who are not truly non-violent, will in time result in a high-profile tragedy involving significant loss of life.

**Existing League Policy:**

In regard to incarceration policy, the League supports stiffer penalties for violent offenders. In 2014, the League joined the California Police Chiefs in opposing Proposition 47, which reduces sentencing penalties for specified non-serious and non-violent drug and property crimes. It directed that the following offenses would be treated as misdemeanors, in most instances irrespective of the circumstances:

- Commercial Burglary
- Forgery
- Passing Bad Checks
- Grand Theft
- Receipt of Stolen Property
- Petty Theft with a Prior Offense
- Drug Possession

In 2013, the League Board of Directors approved a resolution pertaining to AB 109 (2011), which implemented Public Safety Realignment and brought significant changes to the state's incarceration policy. Specifically, it provided that specified categories of felony offenders previously sentenced to state prison, would prospectively be sentenced to terms in county jails.

The League's Resolution had two significant components relevant to this resolution:

- 1) It urged the Governor's office to adjust the implementation of Public Safety Realignment so that the criteria examined to evaluate the appropriateness of release of non-violent, non-serious, non-sex offender inmates would include their total criminal and mental

history, instead of merely the most recent criminal conviction for which they are currently committed; and

- 2) It urged the Governor's office to expedite the development of an effective statewide data sharing mechanism allowing state and local law enforcement agencies too rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

Finally, the League in 2016 opposed Proposition 57, which altered rules for parole eligibility for non-violent felons, potentially facilitating parole before an individual has served any time toward a sentencing enhancement, and ushered in new rules for good time behavior seeking to incentivize inmates to undergo rehabilitation programming of an educational/vocational nature.

## **RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE**

### **2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS**

Source: City of Tracy

Concurrence of five or more cities/city officials: Cities: Lathrop, Lodi, Manteca, Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

**WHEREAS**, Government Code Section 38611 was last amended in 1957 and does not contain language clarifying the broad scope of emergency services as provided by present day fire departments; and

**WHEREAS**, Government Code Section 38611 requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body; and

**WHEREAS**, pursuant to Section 7 of Article XI of the California Constitution, municipal governments are vested with police power which imposes on the responsibility to protect public safety and public health and municipal governments must provide or contract for fire and/or emergency medical services; and

**WHEREAS**, the local provision of fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and other services relating to the protection of lives and property is critical to the public peace, health, and safety of the state; and

**WHEREAS**, local fire and/or emergency medical services are financed by local taxpayers and the availability and use of such services is determined by the local governing body of the jurisdiction to which services are directly provided; and

**WHEREAS**, amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

**RESOLVED**, that the League of California Cities General Assembly, assembled at the League Annual Conference on September 15, 2017 in Sacramento, calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

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### **Background Information on Resolution No. 2**

**Source:** City of Tracy

#### **Background:**

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System. The statute also includes language that establishes *"The medical direction and management of an emergency medical services system shall be under the medical control of the medical director of the local EMS Agency."* In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970's, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League of California Cities argued against depriving a city of local control over EMS service levels. The League of California Cities wrote, *"We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions."* Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as "201

Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become the epicenter on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes were the result of a failed county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

#### Proposed Amendment

The proposed amendment to Government Code Section 38611 would clarify local control and allow the local governing bodies to determine which services are directly provided within their respective jurisdictions. The existing law is extremely limited in scope having been last amended in 1957, at a time when fire departments did not routinely provide many of the specialized services of today. Changes in services provided include but are not limited to hazardous materials response, specialized rescue, and emergency medical services. The amendment aims to support the long-standing tradition in California of local control over the types, levels, and availability of these services.

////////

#### League of California Cities Staff Analysis on Resolution No. 2

Staff: Tim Cromartie  
Committee: Public Safety

#### Summary:

This resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

#### Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System.

The statute also includes language that establishes “*The medical direction and management of an emergency medical services system shall be under the medical control of the medical director*”



of the local EMS Agency.” In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League argued against depriving a city of local control over EMS service levels. The League wrote, “*We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.*” Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201 Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become one of the epicenters on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes have been attributed by some observers to a county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

**Support:**

Cities of Lathrop, Lodi, Manteca, City of Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

**Opposition:**

None received.

**Fiscal Impact:**

This resolution, if its directive can be achieved, will have no direct fiscal impact on cities. It will however, provide an atmosphere in which cities that have invested significant resources in building up and maintaining an independent EMS capability can have confidence that it will be deployed as intended.

**Comment:**

While this resolution calls for very specific action to clarify the rules governing emergency medical services, ideally it would be more generally worded to allow greater flexibility in pursuing legislative and other solutions to a problem that has existed for decades, spawning both legislation and multiple incidents of litigation.

However, it accurately expresses the legitimate frustration of cities in their efforts to provide emergency medical services (EMS) while abiding by the directives of their local emergency medical services authorities (LEMSA’s), which are county entities. Counties have broad

discretion under existing case law in how they administer EMS under the doctrine of medical control. To the degree there is dissatisfaction on the part of cities within a given county or counties, the following should be noted:

- 1) A task force convened by the California Emergency Medical Services Authority, the state entity with jurisdiction over this subject matter, made significant headway in crafting regulations governing the provision of ground emergency medical transport -- until disputes over local control and the criteria under which a local (municipal) agency could lay claim to the exclusive right to provide EMS in a specific operating area led to a lawsuit being filed by the California Fire Chiefs Association. That suit effectively suspended the work of the Task Force.
- 2) Over the past two decades, multiple attempts at legislation to resolve this issue have been tried, most without success. It was in part the multiple attempts at legislation that triggered the formation of the above-referenced task force.

**Existing League Policy:**

The League supports the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc. as well as cities' authority and discretion to provide all emergency services to their communities.

The League supports and strives to ensure local control of emergency medical services by authorizing cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including transport through ambulance services, all provided within local boundaries for the purpose of improving the level of pre-hospital emergency medical service.

The League supports legislation to provide the framework for a solution to longstanding conflict between cities, counties, the fire service and LEMSA's particularly by local advisory committees to review and approve the EMS plan and to serve as an appeals body. Conflicts over EMS governance may be resolved if stakeholders are able to participate in EMS system design and evaluation and if complainants are given a fair and open hearing.

The League opposes legislation, regulations and standards that impose minimum staffing and response time standards for city fire and EMS services since such determinations should reflect the conditions and priorities of individual cities.

The League supports Emergency 911 systems to ensure cities and counties are represented on decisions affecting emergency response.

# **LETTERS OF CONCURRENCE**

Resolution No. 1

Implement Strategies to Reduce Negative Impacts of  
Recent Changes to Criminal Laws

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# CITY OF LA MIRADA

DEDICATED TO SERVICE

13700 La Mirada Boulevard  
La Mirada, California 90638  
P.O. Box 828  
La Mirada, California 90637-0828  
Phone: (562) 943-0131 Fax: (562) 943-1464  
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July 11, 2017

## LETTER OF SUPPORT

General Resolutions Committee  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**SUBJECT: 2017 CONFERENCE RESOLUTION STRATEGIES TO IMPROVE NEGATIVE IMPACTS OF CRIMINAL LAW**

Dear Committee:

The City of La Mirada supports the League of California Cities Annual Conference Resolution proposed by the City of Whittier calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of La Mirada has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Specifically, since 2014 the City of La Mirada has seen property crime increase by 41 percent. The proposed resolution seeks to correct these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include one's total criminal and mental health history instead of only the most recent criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms to enhance public safety in our community. For these reasons, the City of La Mirada strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

**CITY OF LA MIRADA**

Ed Eng  
Mayor

EE:JB:ydr





July 10, 2017

General Resolutions Committee  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: 2017 Conference Resolution – Notice of Support  
Strategies to Improve Negative Impacts of Criminal Law**

Dear Committee:


The City of Lakewood supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Like other cities, Lakewood has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts. These include:

- Request League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes and work with key stakeholders to promote support for resulting advocacy efforts.
- Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent."
- Request that the State improve the "Smart Justice" platform to allow state and local law enforcement agencies to rapidly share information to track offenders and encourage data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Lakewood strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

  
Diane DuBois  
Mayor

# Lakewood



July 11, 2017

President JoAnne Mounce  
The League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Letter of Support for the Resolution Brought Forward by the City of Whittier Regarding the Unintended Negative Consequences of Recent Legislative Changes to California's Criminal Justice System**

Dear Ms. Mounce:

The City of Monrovia strongly supports the Resolution brought forth by the City of Whittier, which asks the League of California Cities (League) to initiate and facilitate further discussion between the Governor, the State Legislature, and other key public safety stakeholders regarding the legislative changes that have been made to California's criminal justice system during the past few years.

Taken together, Assembly Bill 109, Proposition 47, and Proposition 57 have reshaped how we approach public safety issues in our State. And certainly, the identified measures have resulted in measurable and positive impacts to California's criminal justice system, such as a decrease in the State prison system population. However, the cumulative effect of these legislative actions have had several significant unintended consequences, which have resulted in California cities now needing to address increasingly complex public safety challenges.

For example, in the City of Monrovia, violent and property crimes increased by 19% when comparing 2016 crime levels against 2015 rates. On-the-street information being provided by our Police Officers seems to correlate that the increasing levels of crime are connected with the legislative changes that have been enacted in California during the past several years. Additionally, the public safety issues we are experiencing in Monrovia are not occurring in a vacuum, as other neighboring jurisdictions are reporting similar concerns that impact our region as a whole.

Given these factors, we believe that California's overall criminal justice system needs to be carefully reexamined for potential methods to mitigate these emerging public safety issues. The City of Whittier's Resolution represents a positive first step, which includes the formation of a task force to examine possible criminal justice system modifications in greater detail. We believe that such a step would be a move in the right direction for California.

For these reasons, the City of Monrovia strongly supports the Resolution brought forth by the City of Whittier. Of course, please feel free to contact me if I can provide any additional information. I can be reached at (626) 932-5501, or via email at [ochi@ci.monrovia.ca.us](mailto:ochi@ci.monrovia.ca.us).

Best regards,

Oliver Chi  
City Manager



**René Bobadilla, P.E.**  
City Manager

**City of Pico Rivera**  
**OFFICE OF THE CITY MANAGER**

6615 Passons Boulevard · Pico Rivera, California 90660

**(562) 801-4379**

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**City Council**

Bob J. Archuleta

*Mayor*

Gustavo V. Camacho

*Mayor Pro Tem*

David W. Armenta

*Councilmember*

Gregory Salcido

*Councilmember*

Brent A. Tercero

*Councilmember*

July 12, 2017

General Resolutions Committee  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: 2017 Conference Resolution**  
**Strategies to Improve Negative Impacts of Criminal Law**  
**Notice of Support**

Dear Committee:

The City of Pico Rivera supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Pico Rivera has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Following are some specific impacts provided by the Pico Rivera Sheriff's Department:

Part I crimes

Robbery is up 10.26% in 2017 compared to 2016

Larceny Theft is up 4.09% in 2017 compared to 2016

Part II crimes

Weapon Law is up 9.68% in 2017 compared to 2016

Felony Transport & or Sales of controlled substance (except Marijuana) is up 44.44% compared to 2016

Misdemeanor Possession of a Controlled Substance (excluding Marijuana) is up 56.06% compared to 2016

Under the influence of Narcotic is up 28.57% in 2017 compared to 2016

The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

General Resolutions Committee

**2017 Conference Resolution – Strategies to Improve Negative Impacts of Criminal Law**

Notice of Support

July 12, 2017

Page 2

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make “violent offenses” include crimes that meet the plain language definition of “violent”.

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Pico Rivera strongly supports this resolution to strategically address criminal justice reforms.

Best regards,

A handwritten signature in black ink, appearing to read 'René Bobadilla', with a stylized flourish at the end.

René Bobadilla, P.E.  
City Manager  
City of Pico Rivera





*City of Rolling Hills*

INCORPORATED JANUARY 24 1957

NO. 2 PORTUGUESE BEND ROAD  
ROLLING HILLS, CALIF. 90274  
(310) 377-1521  
FAX: (310) 377-7288

July 12, 2017

General Resolutions Committee  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: 2017 Conference Resolution  
Strategies to Improve Negative Impacts of Criminal Law  
Notice of Support**

Dear Members of the General Resolutions Committee:

As a member of the Rolling Hills City Council, I support the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and with other public safety stakeholders to identify and implement strategies that will relieve the unintended negative impacts of existing criminal law.

The City of Rolling Hills has seen increases in burglaries, mail/package theft and other property related crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The City has also seen a significant jump in identity theft. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

General Resolutions Committee

July 12, 2017

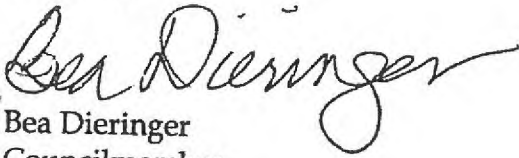
Re: 2017 Conference Resolution Strategies to Improve Negative Impacts of Criminal Law -  
Notice of Support

Page 2

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, I strongly support this resolution to strategically address criminal justice reforms.

Sincerely,

A handwritten signature in black ink, appearing to read "Bea Dieringer", with a stylized, flowing script.

Bea Dieringer  
Councilmember  
City of Rolling Hills

RC:BD:hl

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*"A great place to live, work, and play"*

July 11, 2017

General Resolutions Committee  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: 2017 Conference Resolution  
Strategies to Improve Negative Impacts of Criminal Law  
Notice of Support**

Dear Committee:

The City of Santa Fe Springs supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Santa Fe Springs has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. In addition, the City of Santa Fe Springs contracts with the Whittier Police Department for Law Enforcement Services. In February, Whittier Police Department Officer Keith Boyer was gunned down by a AB 109 offender in a heinous act of indiscriminate violence. We feel strongly that AB 109 and the loosening of oversight and control over recidivist offenders was at least partially responsible in Officer Boyer's death. We believe that the proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem  
City Council  
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora  
City Manager  
Thaddeus McCormack

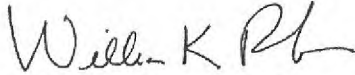
July 10, 2017

Page 2

**2017 Conference Resolution**

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Santa Fe Springs strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

A handwritten signature in black ink, appearing to read "William K. Rounds".

William K. Rounds, Mayor  
City of Santa Fe Springs

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem  
City Council  
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora  
City Manager  
Thaddeus McCormack





# City of South Gate

8650 CALIFORNIA AVENUE + SOUTH GATE, CA 90280-3075 + (323) 563-9543  
WWW.CITYOFSOUTHGATE.ORG FAX (323) 569-2678

MARIA DAVILA, Mayor  
MARIA BELEN BERNAL, Vice Mayor  
DENISE DIAZ, Council Member  
JORGE MORALES, Council Member  
AL RIOS, Council Member

July 11, 2017

General Resolutions Committee  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: 2017 ANNUAL CONFERENCE RESOLUTION: STRATEGIES TO IMPROVE  
NEGATIVE IMPACTS OF CRIMINAL LAW-NOTICE OF SUPPORT**

Dear Committee:

As a Council Member of the City of South Gate, and a Member of the League's Public Safety Policy Committee, I am writing to express my support of the City of Whittier's 2017 Annual Conference Resolution (Resolution.) The proposed Resolution calls on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders, to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Cities in Los Angeles County have experienced increases in property crimes that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed Resolution seeks to remedy many of the negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The passage of this Resolution would provide a range of important League directives to address the growing public safety concerns in these communities. For these reasons, I strongly support this Resolution to strategically address criminal justice reforms.

Sincerely,

Jorge Morales  
Council Member

# **LETTERS OF CONCURRENCE**

Resolution No. 2

Local Control for Emergency Medical Response



**COSUMNES FIRE DEPARTMENT**

10573 E Stockton Blvd.  
Elk Grove, CA 95624

(916) 405-7100  
Fax (916) 685-6622  
[www.yourcsd.com](http://www.yourcsd.com)

July 13, 2017

The Honorable JoAnne Mounce, President  
League of California Cities  
1400 K Street  
Sacramento, California 95814

**RE: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT  
CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

Dear President Mounce,

The Cosumnes CSD Fire Department, which encompasses the Cities of Elk Grove and Galt supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the Cosumnes CSD Fire Department supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Sincerely,

Michael W. McLaughlin  
Fire Chief

**Community Services District**  
**Enriching Community • Saving Lives**



Office of the City Manager

390 Towne Centre Dr. -- Lathrop, CA 95330  
Phone (209) 941-7220 -- fax (209) 941-7248  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

July 14, 2017

The Honorable JoAnne Mounce, President  
League of California Cities  
1400 K Street  
Sacramento, CA 95814

Sent to Via Email to: Meg Desmond [mdesmond@cacities.org](mailto:mdesmond@cacities.org) <<mailto:mdesmond@cacities.org>>

**Re: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT  
CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

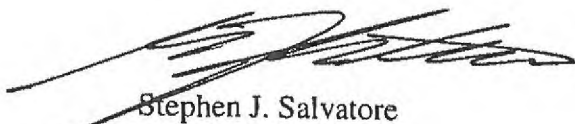
Dear President Mounce,

The City of Lathrop supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the City of Lathrop supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Thank you,



Stephen J. Salvatore  
City Manager

Cc: Members of the City of Lathrop City Council  
Lathrop Manteca Fire Chief, Gene Neely  
Tracy City Manager, Troy Brown  
Tracy Fire Chief, Randall Bradley  
Central Valley Regional Public Affairs Manager LOCC, Stephen Qualls



CITY COUNCIL

DOUG KUEHNE, Mayor  
ALAN NAKANISHI,  
Mayor Pro Tempore  
MARK CHANDLER  
BOB JOHNSON  
JOANNE MOUNCE

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702 / FAX (209) 333-6807  
[www.lodi.gov](http://www.lodi.gov) [cityclerk@lodi.gov](mailto:cityclerk@lodi.gov)

STEPHEN SCHWABAUER  
City Manager

JENNIFER M. FERRAILOLO  
City Clerk

JANICE D. MAGDICH  
City Attorney

July 19, 2017

The Honorable JoAnne Mounce, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING  
LEGISLATION AMENDING GC §38611 TO CLARIFY DEFINITION OF LOCAL  
CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL  
OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT  
EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS**

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The City of Lodi supports the proposed resolution to support legislation amending Government Code §38611 to clarify the definition of local control providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Accordingly, we concur in the submission of the resolution for consideration by the League of California Cities General Assembly at its annual meeting on September 15, 2017.

Government Code Section 38611 does not contain language clarifying the broad scope of emergency services as provided by present day fire departments. The code requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body. Amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

The City of Lodi is in strong support of providing statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Sincerely,



Doug Kuehne  
Mayor, City of Lodi

DK/JMF

cc: Larry Rooney, Fire Chief, City of Lodi  
Randall Bradley, City of Tracy, [randall.bradley@ci.tracy.ca.us](mailto:randall.bradley@ci.tracy.ca.us)  
Stephen Qualls, League of California Cities, [squalls@cacities.org](mailto:squalls@cacities.org)



## CITY OF MANTECA - FIRE DEPARTMENT

1154 S. UNION ROAD • MANTECA, CA 95337  
(209) 456-8300 • FAX (209) 923-8936

July 13, 2017

League of California Cities  
1400 K Street, Suite 400  
Sacramento CA 95814

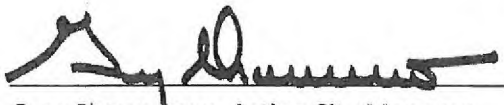
**RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS**

To Whom It May Concern:

This letter confirms that the City of Manteca supports the resolution on Emergency Medical Services submitted to the League of California cities by the City of Tracy. The City of Manteca believes that local control of Emergency Services is critical to ensure that the best possible service and protection of our citizens/taxpayers is provided.

We appreciate the City of Tracy's willingness to bring this crucial issue to the forefront.

Respectfully,

  
Greg Showerman, Acting City Manager

Date: 13 July 2017

  
Kyle Shipherd, Fire Chief

Date: 12 July 2017

MICHAEL TUBBS  
Mayor

ELBERT HOLMAN  
Vice Mayor  
District 1



# CITY OF STOCKTON

OFFICE OF THE CITY COUNCIL  
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DAN WRIGHT  
District 2

SUSAN LOFTHUS  
District 3

SUSAN LENZ  
District 4

CHRISTINA FUGAZI  
District 5

JESÚS ANDRADE  
District 6

July 13, 2017

The Honorable JoAnne Mounce, President  
League of California Cities  
1400 K Street  
Sacramento, CA 95814

**SUBJECT: Resolution of the League of California Cities Supporting Legislation  
Providing Broad Statutory Authority for Local Officials to Determine  
Emergency Service Levels - SUPPORT**

Dear President Mounce,

On behalf of the City of Stockton, I wish to voice our support of the City of Tracy proposed resolution for consideration by League membership. Stockton supports this resolution for the following reasons:

- 1) The City of Stockton Legislative Program seeks the broadest authority for the City Council to make decisions locally, particularly related to the local exercise of police powers;
- 2) The City of Stockton Legislative Program advocates for efforts that impact the City's ability to enhance the well-being, quality of life, health, and safety of residents;
- 3) The City of Stockton has experienced challenges and frustrations in delivering the highest quality of emergency medical services to our residents due to provision of the Emergency Medical Services (EMS) Act.
- 4) Amendments to the EMS Act would clarify local control and allow governing bodies to determine which services are directly provided within their respective jurisdictions.

For these reasons, the City of Stockton concurs with and supports the City of Tracy proposed resolution for consideration by League membership.

MICHAEL TUBBS  
MAYOR

MT:cc

cc: Stockton City Councilmembers  
Kurt Wilson, Stockton City Manager